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THEORY OF MORALS:

AN INQUIRY

CONCERNING

THE LAW OF MORAL DISTINCTIONS

AND THE

VARIATIONS AND CONTRADICTIONS

OF

ETHICAL CODES.

By RICHARD HILDRETH.

"For to say that a blind custom of obedience should be a surer obligation than duty taught and understood, it is to affirm that a blind man may tread surer by a guide than a seeing man can by a light."

Bacon. — "*Of the Advancement of Learning*," Book I.

BOSTON:

CHARLES C. LITTLE AND JAMES BROWN.

1844.

State Historical Society
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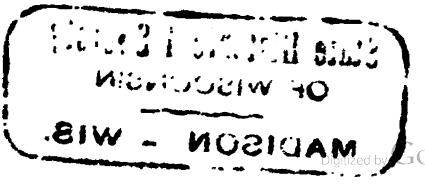

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ADVERTISEMENT.

This is the first of six Treatises which collectively I propose to entitle "Rudiments of the Science of Man." They will be published in the following order: *Theory of Morals, Theory of Politics, Theory of Wealth, Theory of Taste, Theory of Knowledge, Theory of Education.*

The peculiarity of these Treatises will consist in an attempt to apply rigorously and systematically to their several subjects the Inductive Method of Investigation, — a method which in Physical Science has proved successful beyond expectation; but which, hitherto, for powerful but temporary reasons, has been very partially employed, and, in consequence, with very small results, upon the yet nobler and more important Science of Man. The daily increasing interest with which that science is regarded, and the great social problems which depend upon it for solution, seem to demand for its several branches a more patient, thorough, comprehensive, experimental investigation, than they have yet received. Such will be the aim of these Treatises. However short of that aim I may fall, I shall at least claim the merit of an earnest, honest, thoughtful, laborious endeavour.

R. H.

Boston, April 5th, 1844.

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THEORY OF MORALS.

PART FIRST.

OF MORAL DISTINCTIONS IN GENERAL.

CHAPTER I.

MORAL CLASSIFICATIONS OF ACTIONS.

1. The distinction between actions morally good and morally bad, morally Right and morally Wrong, and therefore worthy of approval or worthy of blame, perpetually exercises a powerful influence over the judgments and the conduct of men.

2. To discover the nature, in other words, the origin or cause of this distinction, or, more correctly, the Law according to which it takes place, has been, and still is, an object of anxious inquiry among philosophers; for no theory satisfactory in all respects has yet been proposed.

3. It is held by one class of moralists, that there is an original, eternal, absolute difference, independent of the peculiar constitution of man, between Right and Wrong; and men have been supposed to be endowed with an innate faculty of perceiving that difference, just as through the eye, the touch, and the palate, they discern the difference between black and white, straight and crooked, hard and soft, sweet

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and sour. This power of moral discernment has by some been ascribed to reason, the faculty, that is, by which truth in general is discerned; by others it has been ascribed to a supposed faculty appropriated to the discernment of moral truth in particular, called Conscience, or the Moral Sense. It has been further supposed, that Right is endowed with a certain peculiar beauty or desirableness, which attracts us to pursue it, and that Wrong carries with it a certain deformity or disgustfulness, which repels and restrains us. This theory of morals, which we may distinguish as the *Platonic theory*, taught by Plato, revived in modern times by Cudworth and Clarke, and more recently maintained by Price, Kant, Cousin, and Jouffroy, is liable, however, to insuperable objections.

4. In the first place, it seems to be well established, and notwithstanding strenuous efforts lately made in favor of the opposite opinion, philosophers are more and more inclined to admit, that the knowledge of the absolute is not within the reach of human capacity. What men have the power to know is, not what things are in themselves absolutely, but only what they are relatively to man; that is, how they appear to, and how they affect the human observer. All we can know is, what men perceive, and what men feel. The constitution of our own nature, not the absolute constitution of things, is the proper object of human research; and only in the constitution of man can we find, if we find at all, the origin of human opinions and actions.

5. To escape this objection, and at the same time

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to account for the pleasurable and disgustful feelings attendant upon the perception of Right and Wrong, Shaftesbury and others maintain, that the distinction between right and wrong is, in fact, a subjective distinction, originating in a peculiar sensibility, to which they give the name of Moral Sentiment, by means of which we *feel* certain actions to be right, and others to be wrong.

But whether in its original shape, or thus modified, the Platonic theory is liable to the decisive objection, that it admits of no practical application; that it explains nothing, being a mere truism, a mere form of asserting, what is the very thing to be explained, that men do distinguish between Right and Wrong. So long and so far as there is a perfect coincidence between what is called the reason, conscience, moral sense, or moral sentiment of all men, like that which exists in the perception of forms, colors, and sounds, this theory answers sufficiently well. But it is precisely because there are great differences among men upon questions of morals, that the nature or law of moral distinctions becomes an object of such anxious inquiry. What we want is, some test by which to distinguish, in cases of dispute, what is Right, and what is Wrong. (But so long as each man appeals to his own particular reason, his own particular conscience, his own particular moral sentiment, as the ultimate and infallible tribunal, just as he appeals to his eye in matters of color, to his sight and touch upon questions of form, and to his ear upon questions of sound, no such test does, or can, exist.) All consciences do not agree, like all ears and all eyes. We

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are bewildered amid a multitude of contradictory decisions, all claiming an equal authority; till at length we are driven to doubt, whether what is called conscience, or the moral sentiment, is, after all, any thing more than education, habit, prejudice, inclination, or caprice.

6. Another theory of morals, which, under different forms, has had, and still has, a very extensive currency, places the difference between Right and Wrong, in the tendency of right actions to promote, and of wrong actions to diminish, the happiness of the actor. This is called the *Selfish theory*.

This theory is not without a certain degree of plausibility; since every man's consciousness will inform him, that the performance of actions which the agent esteems right, is always attended by a degree of satisfaction; while the performance of actions which the agent esteems wrong, is always attended by a degree of pain.

7. But when we look closer into the matter, and examine that which is called happiness, we find it not a simple, but a very complex thing, made up of many various, and often hostile, ingredients. There are numerous kinds of pleasures besides the pleasure of acting rightly; and numerous kinds of pains besides the pain of doing wrong. What is called happiness consists in the enjoyment of pleasures of all kinds; and those who have held that happiness and virtue are correlative, have been inevitably driven into one, or the other, of two opposite paradoxes. They have found themselves obliged to maintain, either that the pleasure of virtue is the

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only pleasure, or that all pleasures are equally virtuous.

8. The Stoics chose the first horn of this dilemma. Filled with that admiration of the beauty and dignity of virtue which they had learned in the school of Plato, and led away by a certain affected contempt for the ordinary objects of human pursuit, borrowed from the Cynics, they went the length of maintaining, in defiance of the common sense of mankind, that bodily pain, hunger, poverty, degradation, disgrace, and a thousand other things, which men universally regard as among the greatest of evils, are in fact no evils at all, and cannot diminish the happiness of a truly virtuous man; while wealth, authority, and the so called gratifications of the senses and the appetites have no power whatever of conferring pleasure, or of making vicious men happy.

9. The Epicureans, avoiding this paradox, fell into the opposite extreme; and in equal defiance of the common sense of mankind, came to the conclusion, that the pleasures of virtue and the pains of vice are in no respect different from other pleasures and other pains. That the man who pleases himself with eating a good dinner is quite as virtuous, provided his pleasure be as great, as the man who pleases himself with doing a good action; that virtue, in fact, consists in making one's self as comfortable as possible.

These paradoxes are so monstrous, that few have been induced to defend them in their original form. But both the Stoic and the Epicurean doctrines,

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slightly modified and disguised, have had, and still have, a host of supporters.

10. The semi-Stoics admit that bodily pain, poverty, sickness, hunger, nakedness, and degradation are certainly evils, and evils which men may reasonably do much to avoid, provided they can avoid them without any sacrifice of virtue. But they maintain, that, compared with the evil of conscious departure from rectitude, all other evils are trifling, and do not deserve to be taken into account. In like manner it is held, of the gratification of the senses and the appetites, wealth, power, superiority, and other like objects of human wishes, though, considered by themselves, they may be desirable, yet that, compared with virtue, they are quite unproductive in pleasure.

This is a doctrine often preached, seldom sincerely believed, and still seldomer practised. Indeed it is to be observed, that the most zealous advocates of this doctrine are generally persons who are in quiet habitual possession of those very advantages which they affect to depreciate; advantages which, however meanly they may rate them, they show not the slightest inclination to resign. There are few Stoics among the humble, the sick, or the poor; and the experience of every day may convince us, that those pains which this doctrine esteems so inconsiderable, often rise to such a pitch as to make men wholly regardless of moral distinctions.

As has been already stated, virtuous conduct is doubtless one source of enjoyment, and vicious conduct one source of suffering. Yet it is evident that

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no definite proportion exists between happiness and virtue, vice and misery. A very limited observation is enough to show, that persons of great virtue often lead very miserable lives; and that very vicious men often enjoy a great amount of pleasure.

11. The semi-Epicureans, on the other hand, admit that there are many actions which may give pleasure to the actor, which are not, simply on that account, entitled to be considered virtuous; and many actions also, which may give pain to the actor, but which do not therefore deserve to be called wrong. According to their account, the true distinction is this; — those actions which, on the whole, produce a balance of pleasure to the actor, are virtuous actions; and those actions which, on the whole, produce a balance of pain to the actor, are vicious actions.*

A fatal objection to this statement is to be found in the fact, that the very same course of conduct often produces to one man a great balance of pleasure, which produces to another man a great balance of pain. One man heads an insurrection and so rises to wealth, eminence, and glory, and is handed down to posterity as a virtuous patriot, the father of his country. Another man does the same thing, and pines in a prison, or perishes ignobly on the scaffold, denounced as a traitor, and the object of universal execration. Is success the test of merit and of vir-

* This appears to have been the opinion of Epicurus himself; first revived in modern times by Gassendi. But many of his followers, and Hobbes among the rest, went much greater lengths, and constitute the pure Epicurean school described in the ninth section.

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tue? In point of fact, in passing a moral judgment upon a man's conduct, it frequently happens that the ill consequences to himself, the pains, the unhappiness, the heavy balance of evil, which that conduct has brought upon him, and which he knew at the time it would bring upon him, render his conduct so much the more meritorious in our eyes.

12. There is indeed so little in the course of human life and experience to give support to the doctrine either of the semi-Stoics or the semi-Epicureans, the doctrine, namely, that virtue and happiness are correlative, that the followers of both these schools, despite the authority of their original founders, were compelled to adopt the idea of a future life; in which future life, they allege, all that the virtuous suffer here will be more than made up to them, while the wicked will exchange their temporary happiness for prolonged, if not eternal, misery.

But, inasmuch as men who have no distinct idea of any such future retribution, or who deny it altogether, do yet distinguish between actions as morally good and morally bad, it is sufficiently evident that this distinction cannot depend upon any effect of actions here to produce pleasure or pain in a life to come. Indeed the most zealous advocates for a future retribution principally insist upon it, as necessary to make up for the sufferings of the good and the enjoyments of the wicked in this present life;—an argument which would be destitute of force, and even of meaning, unless the goodness and the wickedness of actions be something distinct from their consequences to the actor.

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13. Indeed, when we come to look more closely into the matter, so far from finding that the peculiar characteristic of actions morally right, is their tendency to promote the pleasure or happiness of the actor, either immediate or permanent; and of actions morally wrong to produce either present or future pain to the actor; it is a much more distinguishing quality that those actions which we call morally good are *such as tend to promote the pleasure, either immediate or prospective, of some sensitive being other than the actor;* while those actions which we call morally bad are *such as tend to produce pain, immediate or prospective, to some sensitive being other than the actor.*

14. Before proceeding to follow up this observation, certain preliminary distinctions must be pointed out; otherwise we shall become involved, like so many other speculators upon morals, in an endless labyrinth of verbal ambiguities.

15. In the first place, it is to be observed, that ACTIONS are the only original subject-matter of moral judgment. By the word *action*, we must here understand, not any event happening by any agency, in which broad meaning the word is sometimes used, but an event happening by the agency of some being having a power of voluntary or spontaneous action. We must even limit the word still further, so as to include only the actions of beings capable of perceiving beforehand, at least to a certain extent, the consequences of their actions; in other words, to the actions of men, or of beings having, or supposed to have, an intellectual constitution similar to that of man.

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Human actions then are the original subject-matter of moral judgment; and other things fall under its cognizance merely as they tend, or are supposed to tend, to produce human actions of a particular kind; or if the actions of any beings, other than men, ever become the subject-matter upon which moral judgment is exercised, it is only because those beings are supposed to possess a nature, so far as the distinction between good and bad actions is concerned, similar to that of man.

16. Now an action such as we have here described it, to wit, the action of a spontaneous intelligent being, is made up of two things quite distinct from each other; namely, the external event resulting, and the motive by which the agent was impelled to produce that event.

17. In speaking of actions we use the words *right* and *wrong* principally with an eye to the external event, and with little or no reference to the motive of the actor. We use the words *virtuous* and *vicious* principally with reference to the motive of the actor, and with little or no regard to the external event. This distinction is clearly traceable in the most ordinary use of language; * it is of great importance; and in this treatise it will be strictly adhered to. The phrases, *morally good* and *morally bad*, are used indiscriminately, with respect both to the motive and the event; sometimes with principal reference to the one; sometimes with principal reference to the

* The epithets *right* and *wrong* are confined entirely to actions; the epithets *virtuous* and *vicious* are applicable to actors as well as to actions.

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other; sometimes with equal reference to both. The epithets *good* and *bad*, and the corresponding substantives *good* and *evil*, when used alone, without the qualifying term, *morally*, have their signification greatly enlarged. The word *good* is employed to describe any thing that gives us pleasure; the words *bad* and *evil*, any thing that gives us pain, whether a moral pleasure or a moral pain, or a pain or pleasure of any other kind. As the qualifying epithet *morally* is frequently dropped, even when the signification of these words is restricted to moral good and moral evil, an ambiguity thence arises, which has led to infinite confusion and mistakes, — an ambiguity which we must carefully avoid.

18. The word *action*, it must also be recollected, includes not only positive acts, that is, things actually done; but also negative acts, that is, things omitted to be done.

19. After these explanations, we may assert, that ALL POSITIVE ACTIONS CALLED WRONG, *are actions that produce, or are supposed to produce, or to tend to produce, immediately or ultimately, some pain to some sensitive being other than the actor; and that* ALL NEGATIVE ACTIONS CALLED WRONG, *are actions that deprive, or tend to deprive, or are thought to do so, some sensitive being other than the actor, of some pleasure that he would otherwise have enjoyed; or which leave him exposed to some pain, from which, had the action been performed, he would have escaped.*

20. Let it here be remarked, once for all, that the word *pleasure*, in its ordinary use, and for the

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sake of brevity, we shall often employ it in the same extensive sense, includes not only pleasure properly so called, or positive pleasure, but also relief or freedom from pain, or negative pleasure; and that the word *pain* includes not only pain properly so called, or positive pain, but also deprivation or diminution of pleasure, or negative pain.

21. All actions that are not wrong, are RIGHT; but under the common head of right actions, two classes are embraced very distinct in kind. The first class includes those actions which are right, but at the same time, MORALLY INDIFFERENT; *to which class belong all those actions, which, however pleasurable or painful to the actor himself, produce, or are supposed to produce, or to tend to produce neither pleasure nor pain to any sensitive being other than the actor.* The performance or non-performance of these acts has no influence, any way, upon our estimate of moral character. On the other hand, *those actions which produce, or are supposed to produce, or to tend to produce pleasure to sensitive beings other than the actor, are not only right, but also* PRAISEWORTHY; and it is by the performance of such actions that a character for virtue is acquired.

22. Thus it happens that the same external act will be classed, as morally Indifferent, as Praiseworthy, or as Wrong, according as it is productive, or thought likely to be productive, of different results. Whether I shall sit or stand, whether I shall pick up a stone or throw it down, these acts, so long as this is all that appears, are morally indifferent; and whether I perform or omit them can have not

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the slightest influence in determining my moral character. But suppose that my standing up be a signal which I have concerted with hired assassins, for the commission of a murder. Suppose that my sitting down be to interpose my body between some deadly weapon, and the life of my friend. Suppose that my picking up a stone be with the intent to participate in the martyrdom of some innocent and worthy man; or that my throwing it down indicate my refusal to have any share in such a crime, even though that refusal expose me to the indignation of an infuriated multitude. In these cases, the act, before so indifferent, assumes a decided moral character, and becomes highly wrong, or highly praiseworthy.

23. After these explanations, we again assert it as a general fact, that actions, externally considered, and without immediate reference to the motives of the actor, are everywhere among men distinguished into three great classes, PRAISEWORTHY ACTIONS, INDIFFERENT ACTIONS, and WRONG ACTIONS, — the first two classes being ordinarily included together under the head of *right actions*; — and that actions are arranged in these three classes, according as they produce, or are supposed to produce, or to tend to produce, pleasure or pain, or neither, to sensitive beings other than the actor. In other words, no action is ever prohibited as wrong, in any code of morals, except because it is thought to cause some pain to some sensitive being other than the actor; and no action is ever enjoined as a duty, except because it is thought to produce some pleasure to some

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sensitive being other than the actor. And further, actions considered in themselves, and without immediate reference to the motives of the actor, are classed as more or less praiseworthy in proportion to the amount and extent of pleasure which they are supposed to confer, or to tend to confer, upon sensitive beings other than the actor; and they are pronounced more or less wrong, in proportion as the pain to sensitive beings other than the actor, which they inflict, or are supposed to inflict, or to tend to inflict, is greater or less in acuteness, permanence, and extent.

These allegations are of such great importance, and, if founded in fact, afford such a clue towards the discovery of the real nature and actual law of moral distinctions, that it is necessary to establish their truth somewhat in detail.

24. In all societies of men, the most rude and savage, as well as the most civilized, there exist sets of opinions on the subject of right and wrong actions, — that is, as to what actions ought to be performed, and what actions ought not to be performed, — which sets of opinions, out of analogy to the codes of civil law, have been called the moral code, or the moral law. Indeed it is the moral code, which everywhere furnishes, to a greater or less extent, the foundations of the civil code.

These bodies of opinion, these moral codes, pass from generation to generation, sometimes by oral, and sometimes by written tradition; sometimes they are handed down for ages almost unchanged; sometimes they are gradually and imperceptibly modified; and sometimes they undergo very sudden and very violent alterations.

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When we come to compare these moral codes with each other, we find, as in the various codes of civil laws, upon some points a perfect coincidence, and upon others a general similarity; while upon other points, and those often of the highest importance, we observe the most strange, and apparently unaccountable discrepancies; and sometimes the most positive contradictions.

It is the existence of these discrepancies and contradictions, it is the disputes which are constantly arising in every inquisitive and progressive society, upon certain points of the Moral Law, which give its chief interest and importance to our present inquiry. What are the principles upon which the distinction between Right and Wrong depends? Amid so many disputes and contradictions, by what rule shall we be guided?

The rule above stated, according to which actions are classified as Praiseworthy, Indifferent, and Wrong, will at once help us, if it be true, to explain many of these discrepancies, to reconcile many of these contradictions, and to account for many of the changes, slight or extensive, slow or sudden, imperceptible or violent, which moral codes are constantly undergoing. There are, indeed, some discrepancies and contradictions in these codes, and some changes, which are dependent upon other causes, to be pointed out hereafter.

Not only the term Moral Law, but the greater part of the phraseology of morals, has been borrowed from legal analogies. Thus certain actions which produce pleasure to others, and the abstinence from

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certain actions which produce pain to others, are classed under the borrowed term of *debts*, *dues*, or *Duties;* and modern authors, who have reduced the moral code to writing, have distinguished these actions into three classes, namely, Duties to others, Duties to ourselves, and Duties to God. How certain acts, beneficial to others, have come to be distinguished, in particular, as *Duties* will be explained hereafter. Our present business is, to show, that all those acts which have, at any time, been classed as moral duties, are, in fact, acts productive of pleasure, or supposed to be productive of pleasure, to some sensitive being or beings other than the actor; and that the supposed possession of this quality of producing some pleasure to some sensitive being or beings other than the actor is an essential characteristic of duty.

25. With respect to that class of actions included under the head of Duties to others, and which are generally arranged under the two great divisions of Justice and Benevolence, it is obvious, at the first glance, that pleasure to others is of the very essence of all those actions.

Why will such an action be unjust? Because it will inflict pain upon some person other than the actor. It is impossible to imagine an act of injustice without some pain inflicted upon another, including under the word *pain*, the deprivation of pleasures. Indeed, injustice may be defined in general terms, as the securing of pleasure to ourselves at the expense of pain to others.

Why is such an act benevolent? Because it con-

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fers a pleasure upon somebody other than the actor. Every benevolent act implies a pleasure or benefit conferred. Justice requires us to abstain from inflicting pain, or, if we have inflicted it, to make up for it; benevolence requires us to confer gratuitous, positive pleasures.

26. We proceed next to consider that class of acts called Duties to ourselves. They are usually arranged under the three heads of Prudence, Temperance, and Economy. These duties, in most codes of morals, hold a very high rank; so much so, that in the English language, what is meant, in common parlance, by a *moral man*, is, a man observant of these duties. The duties of this class differ, in one obvious and striking particular, from those called Duties to others, namely, in not operating directly upon others, but only indirectly, by first operating upon ourselves. It is for this reason that they are arranged in a separate class. But the effect of these actions, upon the welfare of others, is not, on that account, any the less certain or important, or any less the reason why they are distinguished as duties.

27. Prudence, Temperance, and Economy are essential to place a man in such a position, as will enable him to confer pleasures upon others; while Imprudence, Intemperance, and want of Economy lead, of necessity, to the infliction of the severest injuries upon others. No man stands alone. Every man is surrounded, to a greater or less extent, by those whose welfare is more or less dependent upon him; and in this way it becomes a duty to others, to take care of ourselves; to keep ourselves in a posi-

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tion which will preserve us from inflicting pains, and will enable us to confer benefits.

28. What are called acts of imprudence, are, in general, acts which result in some loss or suffering to the actor; which loss and suffering the actor foresaw, or might have foreseen. But no such act is ever condemned as morally wrong, unless the loss or suffering of the actor overflows, and embitters the cup of some other person, or seems likely to do so. It is in this alone that the moral wrongfulness of imprudence consists; and, therefore, whether we shall condemn a man or not, as guilty of imprudence, depends entirely upon circumstances. Many acts are reckoned imprudent in a poor man, which would not be considered so in a rich man; in a weak man, which would not be so in a strong man; in the father of a family dependent upon him for support, which would not be so in a person without incumbrances; and so in many other instances.

29. The three chief breaches of the virtue of temperance, are gluttony, intoxication, and excessive sexual indulgence. The moral wrongfulness of these acts does not consist, as the Epicureans allege, in the pains which they are likely to produce to the actor, but in the pains which they may probably cause him to inflict upon others. All these indulgences, when excessive, tend to destroy the muscular and mental faculties; and thus to deprive us of the power of conferring benefits upon others. They tend also to weaken or destroy the force of those motives by which we are restrained from inflicting pain, and are impelled to confer pleasure, and thus

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to take from us not only the power, but also the disposition, to confer benefits upon others. It is for this reason that they have been denounced by the moralists of every age; though great differences of opinion have existed, and still exist, as to the particular acts which deserve to be stigmatized with the reproach of intemperance. Much depends, in this case, as in the case of imprudences, upon the particular position of the actor.

30. Thus it would be a gluttonous and immoral act, for a poor man, whose children depended upon his daily wages for bread, to indulge himself, though it were once a year, in viands of which a rich man may partake every day, without reproach; and the reason is, that the poor man is not able thus to indulge himself, except by depriving his children of their needed bread; while the indulgence of the rich man inflicts no evil, at least no obvious ascertainable evil, upon anybody.

31. As regards intoxication, whether produced by alcohol, by opium, or in any other way, if the pleasures and the pains, to which that indulgence gives rise, terminated with the individual, there would be no more moral guilt in it, than there is in the indulgence of a taste for music or poetry. But, not only does intoxication, while it lasts, disorder the understanding, destroy the sense of right and wrong, and render man a wild and dangerous animal, incapable of self-control, and, therefore, liable to inflict indefinite injuries upon others; but, if it become habitual, it is liable to occasion a general incapacity, to make its victim a burden to his friends, and a scourge to

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society. Even the habitual use of intoxicating drinks, as it tends directly to the formation of habits of drunkenness, has come, and not without reason, to be regarded by many as an immoral act.

32. As to excessive sexual indulgence, what is in general so considered can hardly take place without the direct infliction of positive injury upon others. This injury, it is true, is oftener mental than physical; an injury to the feelings oftener than an external, visible injury; but it is not on that account any the less real. He who violates the marriage bed, inflicts an injury upon the husband, which has been reckoned, in all times and countries, among the most unpardonable. He who seduces a girl, besides the injury that he does her by diminishing her chances of marriage, and, in many countries, ruining her character, and so at once destroying her self-respect, and depriving her, it may be, of all honest means of support, — inflicts, at the same time, an injury upon her parents and friends, who share her disgrace and her sufferings; and upon whom, perhaps, he imposes the burden of supporting her illegitimate offspring.

The consent of the parties liable to suffer evidently does away with this wrong; and it has accordingly been held and is held, in many countries, that the consent of the husband or the father renders innocent the act of intercourse with the wife or daughter. Such was the opinion of the Romans, who were accustomed to lend their wives to their friends. Elsewhere this opinion has not prevailed; the chastity of woman having been judged of such serious importance to domestic happiness, that any infraction

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of it is regarded as an evil, inflicted upon the community at large, even though the parties more immediately concerned may have purged the injury to themselves, by giving their consent. Perhaps, however, there is no point of morals upon which greater diversities of opinion have existed, than upon the merits of chastity, and the extent to which it is a moral duty. We shall find occasion, in the Second Part, to point out more particularly the origin of these diversities.

33. With regard to economy, that is a virtue which consists in restraining our expenses within the limits of our income. It is perfectly evident that we cannot transgress those limits without inflicting injuries upon others. Our own means being exhausted, as without economy they soon will be, extravagance can only be indulged by running in debt, by a system of sponging, swindling falsehood, and fraud, not less injurious to those who are the objects of it than downright robbery. And perhaps we may be driven even to that; for it is in want, produced by extravagance, that almost all offences against property originate. It is in these facts that we may discover the origin of that moral disapprobation, with which want of economy, described under the various terms of waste, profusion, extravagance, dissipation, is so generally regarded, and of the obloquy attendant upon the character of a spendthrift.

34. We come now to that very remarkable class of actions which have been denominated duties to God.

As human knowledge is limited by the extent of

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human experience, it universally happens, when the cause, or origin, or law of any operation is unknown, that an attempt is made to explain it by something that is known. Thus we find in ourselves, and in other animals, a certain power of spontaneous or voluntary action, from which originate many of the changes that take place about us. But there are many other changes, such as the vicissitudes of the seasons, the growth, perfection, and decay of vegetables, and a multitude of others, which are the sources to us of many pains and many pleasures, which evidently do not arise from the spontaneity either of men or of animals. With respect to these latter changes, the origin of which is not apparent, mankind have almost universally been led, by a process of analogical reasoning, to ascribe them to the spontaneity of certain agents, supposed to resemble man in many particulars, but invisible, intangible, immortal, and possessing powers or capacities altogether superhuman. These agents are, of necessity, supposed to be invisible and intangible, since they are neither seen nor felt. The idea of their immortality originates in the permanency of those operations, which are supposed to be their acts; and the notion of their superhuman power in the superhuman character of those supposed acts.

Thus it has happened that the unknown causes of all the operations of nature have been personified, and all the complex results of the laws of inanimate existence explained as the voluntary actions of certain supernatural, spiritual beings. It is this popular and current explanation of the phenomena

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of nature, which, in this treatise, we denominate the Mystical Hypothesis.

The analogies in which this hypothesis originates have been pushed still further, and all the feelings and attributes of man have been ascribed to these supposed invisible beings; and as there are good and bad men, so there have been supposed to be good and bad spirits. It has even been supposed that these spiritual beings possess the form of men or animals, and that they have the power of occasionally rendering themselves visible to human sight; an idea which easily originated in certain optical illusions. The sense of touch is not so readily deceived; and spirits, though often seen, have been seldom, if ever, felt. This assimilation of the spiritual to the sensible has been carried further yet. The gods, like men, have been supposed to have a birth and history; certain gods have been supposed to become men, or at least to appear, and act on earth in a human shape; and by an easy transition, certain men have been supposed to become gods; and mythologies have thus been multiplied to an almost infinite extent.

35. It is in this supposed nature of the gods, constructed after the analogy of human nature, that all acts of religious worship have originated. The gods have been supposed capable of being influenced precisely in the same way in which men are influenced. All those methods by which the favor and good will of men may be secured, have been imagined to be equally available with the gods.

Prayer, supplication, and even reproaches are a powerful means of working upon the feelings of men,

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exciting their sympathies in our behalf; and the same means have been supposed equally efficacious with the gods.

Gifts are a great means of securing human favor; and gifts to pious uses, whether in the shape of sacrifices, the erection of temples, or other appropriations of property thought to be agreeable to the gods, have everywhere attained the character of religious acts.

Processions, ceremonies, feasts, festivals, and the erection of monuments and statues are usual means of doing honor to men; the same sorts of honor have been supposed to be agreeable also to the gods.

We may prove our devotion to men, and so gain their favor, by submitting to pains and privations in order to give them pleasure. Thus fasts, scourgings, various bodily torments, and abstinence from many pleasures have obtained the character of religious acts, under the idea that these things are pleasing to the gods.

To believe a man, against the testimony of our own senses and reason, is a high compliment. Hence the merit ascribed by theologians to implicit faith.

36. As all the operations of nature have been imagined to originate in the volition of some deity, it naturally has happened that the same analogical method of reasoning has caused these natural events to be construed into marks of divine approbation, or of divine displeasure. Thus, seasonable showers, plentiful harvests, success in war, and public prosperity in general have been esteemed marks of divine favor; while droughts, famines, earthquakes, hurricanes, pestilences, defeats, and misfortunes in

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general, have been ascribed to the displeasure of some deity. The gods, moreover, by analogy to the conduct of human princes, have been imagined not to be very discriminating in their wrath; but to visit a whole community with calamities, because their displeasure has been excited by the acts of one, or a few.*

It is hence easy to discern how the worship of the gods, that is to say, the performance of certain acts thought likely to secure their favor and to avert their indignation, acquired the character of moral duties. They acquired that character not by reason of any individual benefits they were supposed to produce to him who performed them; but because they were thought an essential means of preserving the community in general against the injurious anger of the gods. Hence, just as public prosperity and calamity have ceased to be ascribed to special divine interferences, the performance of religious acts has ceased to be ranked among moral duties.

37. There is, however, another point of view, from which this subject may be considered, and which is of the greatest importance, since it has afforded a foundation for a theory of morals of very

* Thus, the pestilence that raged in the Grecian camp, commemorated at the beginning of the Iliad, originated in the refusal of Agamemnon to give up the daughter of a priest of Apollo, whose wrongs that god revenged upon the whole Greek army. Or, to cite a more recent instance, the celebrated Salem witchcraft in 1692 — the last of the witchcrafts, at least on a large scale — was supposed by some of the most learned theologians of that day, to be sent as a punishment for the sin committed by some foppish young men and women, in wearing lace and love-locks.

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extensive currency, and will help us to an explanation of several of the most remarkable anomalies and discrepancies in systems of practical morality.

The tendency towards simplification, the anology of human societies, particularly in the East, where the supreme power over great districts was generally lodged in a single chief; and the gradual advance of men from gross ignorance and credulity, to a certain degree of knowledge and of skepticism, led to the gradual abandonment and repudiation of the numerous deities of the old mythologies, and to the concentration of all the divine power and attributes in a single being, the sole God, the supreme Deity, who might indeed have numerous inferior, invisible agents, but who was, in fact, the prime mover and original cause of all things.

This deity, however, was still supposed to be a person; and though men ceased to represent him under a bodily shape, and with human members; though many of the adherents of this new form of spiritualism were violent iconoclasts; it is not the less true that they still made God after their own image; for he was still supposed to possess a nature modelled after the nature of man; leaving out certain parts, which appeared less worthy of admiration, and exaggerating others to an infinite degree. In particular, he was still supposed to be like man, accessible to pain and pleasure; and certain acts of men were still supposed able to give him pleasure and to give him pain.

It will be shown in another part of this treatise, that such a being, with those who have a present,

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continuous, and practical belief in his existence, is calculated to engross the whole of the moral affections, to such an extent, that his pains and pleasures become the only pains and pleasures — not their own — which seem worthy of the slightest attention, or at all entitled to influence conduct.

38. This idea of the nature of God led to a theory of morals which may be distinguished as the *Mystical Theory;* and the various systems of practical morals, founded upon that theory, may be called Mystical Systems, or systems of mystical morality; systems which, variously modified, are spread over all the world; and which have exercised, and still continue to exercise, an extensive influence.

In the systems of Mystical morals, as in the various systems of Forensic morals, — for we may employ that term by way of distinction, — the difference between praiseworthy, indifferent, and wrong actions, still depends upon the principle above laid down, to wit, their tendency to produce pain, or pleasure, or neither, to some sensitive being other than the actor. But while, in all Forensic systems of morals, those other beings are men, or occasionally animals, in Mystical systems of morals, it is the pain or pleasure of the deity, by which the moral character of actions is tested. Such an act is praiseworthy because it pleases God; in other words, because it gives God pleasure; such an act is wrong, because it is displeasing to God; in other words, because it gives God pain; such an act is indifferent, because it does not affect God in any way.

39. The Mystical theory, however, when it is

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made the foundation of practical morals, is usually amalgamated with the Selfish theory; that is, with the theory, that virtue consists in securing our own greatest happiness. This amalgamation easily takes place; for since, according to the mystics, every thing depends upon the volition of God; and as God is supposed to act, at least to a certain extent, as men act, and, like them, to be influenced by feelings of gratitude; hence, those who please God will certainly be rewarded by him in the end; and those who displease him will be punished. But as this present life does by no means exhibit any such rewards and punishments, mysticism has been led to adopt the hypothesis of a future retribution; a doctrine, as we have seen, which the semi-Stoics, and the semi-Epicureans have also found themselves obliged to adopt, as the only means of giving any plausibility to their idea of the coincidence of virtue and happiness.

40. The fact, that actions, to be approved, must have a tendency to promote happiness, and that no action acquires the character of being wrong except by reason of some pain that it inflicts, or tends to inflict, has been so far perceived, as to have been made the foundation of a theory of morals, according to which virtuous actions are neither more nor less than useful actions; meaning, by useful actions, actions which tend to produce pleasure, or to prevent pain.

41. But this theory involves two fatal defects. In the first place, it does not accurately distinguish between actions useful to others, and actions useful

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to ourselves; a distinction upon which the whole of morality depends. In the second place, it forgets that an action, to be a subject of moral judgment, implies not only an external event, but a design to produce that event, and certain feelings or motives impelling to the formation and execution of that design. It is very true, that whether an action shall be esteemed praiseworthy or not, — considered generally, and without reference to the motives of the actor, — depends upon its utility, or supposed utility, to persons other than the actor, and the degree of that utility; but whether or not any particular action shall be pronounced virtuous, — the use of which appellation includes a reference to the actor, — depends upon the actor's motives and intentions. It is not enough, that an action be, in fact, useful to others; in order to make it virtuous, that utility to others must have been perceived and intended; nay, more, it must have been a leading object in the performance of the action.*

* The Theory of Utility was first suggested in Hume's *Treatise upon Morals*, in which he shows that all actions and qualities called virtuous, are useful, or agreeable, — words which have subsequently been used as synonymous, — either to others or to ourselves. Towards the conclusion of the same treatise, he also suggests the ideas, more fully developed by Helvetius, and known as the doctrine of *Interest well understood*.

It is Bentham, however, who has expanded the theory of utility, and given it celebrity. He sets out with the assumption, that it is utility to ourselves, (substantially the doctrine of interest well understood, the doctrine of Hobbes, and of the Epicureans,) which is the test of right and wrong actions; that is, he assumes the fundamental principle of the selfish theory. But in his system of practical morals, what he actually makes the test of right and wrong is, not particular or individual utility, utility to self, but *general utility*,

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42. But here we are met by a very serious objection. All the partisans of the Selfish theory of morals, whether Stoics, Epicureans, semi-Stoics, semi-Epicureans, Mystics, or Utilitarians, unite to assure us, that the only conceivable motive to act, which a man can have, is the promotion of his own happiness. Whence it is argued, that mere utility to others never can be the primary motive to the performance of any action. This doctrine, as to the origin of human action, lies at the bottom of the Selfish theory, in all its forms; and, indeed, first produced that theory, the rise and progress of which we proceed to trace.

A very cursory observation of mankind, and a very slight degree of attention to the motives of our own conduct, are sufficient to lead to the discovery, that human action consists in the pursuit of pleasures and the avoidance of pains. This pursuit of pleas-

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which differs only by an infinitesimal quantity, from utility to others; private or personal utility forming but an imperceptible element of general utility. He assumes that the greatest happiness of the greatest number will always be coincident with individual happiness; which is, in point of fact, the same assumption made by the semi-Stoics, and the semi-Epicureans, when they tell us that virtue and happiness are identical; an assumption which all human experience contradicts.

Notwithstanding these defects in his theory, no man has contributed more than Bentham to advance the science of morals, of which, as will subsequently appear, the science of Utility is a most important branch. His *Introduction to the Principles of Morals and Legislation* contains a complete and beautiful development of that science. See, also, for a more easy and agreeable explanation of the doctrines of Bentham, *Traités de Législation*, compiled from Bentham's publications and manuscripts, by Dumont, the two first volumes of which have been translated into English, by the author of this treatise, and published under the title of *Theory of Legislation*.

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ures, and avoidance of pains, have been jumbled together under the single phrase of the *pursuit of happiness*. The impulse, whence this pursuit of happiness has been supposed to arise, has been hastily imagined to be a single impulse, and has been denominated *Self-interest* or *Selfishness*.

Now, as in human contrivances, we determine, in general, the end intended to be accomplished, by what actually is accomplished; determining, for instance, that a watch is intended to measure time because it does measure time; so the same reasoning has been analogically applied to natural objects; and it has been concluded that man was intended to pursue his own happiness because he does pursue his own happiness. Thus it came to be laid down by most of the Greek philosophers, as a fundamental principle, that the pursuit of happiness is the great end of human existence. It must be right, it was argued, and coincident with morality, for man to fulfil the end of his being. But as the end of human existence is happiness, and as all acknowledge that men ought to live virtuously, and as virtue is essential to the welfare of society, therefore virtue and happiness must be identical.

43. The mystics, who regard the universe as the handiwork of a personal deity, which deity they frame for themselves after their own image, have for the most part applied these same notions as to the motives of human action, to explain the conduct of the deity. It is absurd, they say, to suppose the deity to act from any other motive than the promotion of his own happiness. He has made all things,

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and all things exist only by his will. Of course they must exist only for his pleasure.

44. The mystics are thus led to a conclusion very different from that of the forensic philosophy. So far from holding that the chief end of man is the promotion of his own happiness, they hold that man's sole end is to please God. In this way, human happiness, in the estimation of most mystical schools, becomes a thing of too little value to be taken into account; and if God's pleasure, according to their idea of it, be promoted thereby, they look upon the damnation of endless millions with unruffled composure. The most consistent and unflinching hold, indeed, that to please God we ought joyfully to consent to our own damnation.

45. But as this is a pitch of self-devotion from which human nature recoils, and to which none but the most ecstatic can attain, an alliance has been struck up with forensic philosophy, whence have originated various schools of semi-mystics, who have laboriously endeavoured to reconcile the two ends of the pleasure of God and the happiness of man. This object they endeavour to accomplish by insisting, that as men universally pursue their own happiness, the deity, their creator, must have intended them to pursue it; and that, in pursuing it, they do his will and please him. In this way some of them, such as Paley, have slided imperceptibly into almost a pure Epicureanism; while others, like Cudworth, and, in our day, Kant and Cousin—if indeed their mysticism be any thing more than verbal — alarmed at this approach toward Epicureanism, have receded almost to

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a pure Platonism; setting up virtue as something superior to God, a relation, an idea, which he did not create, and cannot control, but which exists independently of him, and controls him; thus, in fact, abandoning the fundamental doctrine of mysticism, which explains every thing as the act or work of a personal deity.

46. Assuming that the pursuit of happiness is the only impulse of human action; supposing that impulse to be single and uncompounded; and giving to it the name of *Self-love*, *Self-interest*, or *Selfishness*; it certainly follows logically enough, as the ancient Epicureans contended, and as Hobbes maintained, that Self-interest is the only possible motive of human action; and that to suppose actions to originate in a mere desire to promote the pleasure of others—a characteristic which we have pointed out as essential to virtuous actions—is to suppose what is incompatible with human nature.

Investigation, however, will show that this conclusion, though logically right, is scientifically false; the assumed premises upon which it is founded not corresponding with the facts of human action; and the term Self-love, or Selfishness, being frequently used in a double sense, which produces a sad confusion of ideas.

47. When we come to look narrowly into the springs of human action, we shall find, as Locke did, that all human actions originate in pains.* Pains

* See the *Essay on the Human Understanding*, Book II. Chap. xxi. Sect. 31 *et seq.* No part of that celebrated work exhibits a keener spirit of observation. The leading ideas, as is usual with Locke, had been partially anticipated by Hobbes. See the *Leviathan*, Part I. ch. 6.

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are the perpetual spurs which, from the cradle to the grave, urge men to act. Pleasures, of whatever kind, while actually in fruition, have not the slightest tendency to produce action; whence it was well argued by the Epicureans, that if the gods enjoyed, as it was said they did, an existence of perpetual bliss, it was absurd to suppose them to interfere in the affairs of men; since, being perpetually and completely happy, they must be destitute of any motives to act. This coincidence between pleasure and repose has even led many philosophers to suppose them identical. Pleasures become motives of action only secondarily; that is, when the contemplation of them produces in us that peculiar sort of pains, called *desires*; a sort of pains which frequently rise to the very highest pitch of which human nature is capable; for it is to be observed, that both pleasures and pains have a certain limit, beyond which they cannot be carried without putting an end to life.

48. By the word, happiness, as employed in the schools, has been signified an ideal state of continuous pleasure, supposed to be the end of human existence and effort, and the impulse to human action. But happiness, in this scholastic sense of the word, and as distinguished from what are called fleeting or temporary pleasures, is purely an imaginary state, which never entered into the minds of the vastly greater number of human beings, whose thoughts are almost entirely limited to the present hour, or the present day; and which could not actually be enjoyed without a total revolution in the nature and constitution of man; a revolution which

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would change him from an active, into a merely passive, contemplative being; a revolution inconsistent with his whole perceptive and sensitive nature — a nature in which perceptions and emotions are indissolubly commingled. This scholastic sense of the word led several Oriental sects to hold, that happiness is a state of pure contemplation; and to teach that those who aspire to be happy, ought not to allow themselves to be affected by any thing, — a doctrine, indeed, which was not unknown to the Stoic philosophy of the Greeks;* while other Oriental schools, more mystically inclined, have placed happiness in absorption into the deity; and others yet, conscious of its inconsistency with human nature as at present existing, have held happiness to be synonymous with annihilation.†

49. Happiness, in any sense in which it is practically an object of human pursuit, consists merely in the avoidance of, or escape from, present pains, whether those pains be pains commonly so called, or that great class of pains usually designated as desires; and it may be safely alleged, that no action, from the most trivial up to the most important, is ever performed, of which some present pain, either a simple pain, or a pain of desire, is not the immediate motive.

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* "Nil admirari propè res est una, Numici,
Solaque, quæ possit facere et servare beatum," etc.
Horat. Epist. I. VI. v. 1, 2.

† Hobbes was well aware of the futility of this scholastic notion of happiness, and briefly but ably exposed it. See *Leviathan*, Part I. ch. 11. This opinion, however, still keeps its ground, and figures conspcuously in almost all popular discussions on moral questions.

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Indeed it is obvious, that pleasures, even should we suppose them to possess in themselves a power of impulse, could operate only to a very trifling extent as motives of action; since for the most part, they are of very transitory existence, indeed scarcely more than momentary; while pains frequently last us a whole lifetime, with hardly any intermission, at least during waking hours.

50. While a vast deal of labor, though, for the most part, to little purpose, has been expended in investigating what is called the Intellectual nature of man, that is, Reason coöperative with the senses and the conceptive faculty; pleasures and pains, or what is called man's Sensitive nature, have been strangely neglected.* And yet the perceptive and sensitive natures of man are not, as so many philosphers have supposed, two distinct natures, but inseparable parts of the same nature. They may be conceived of as distinct, as parts; but as they exist they form together a single indissoluble whole. According to our experience, Perception and Emotion constitute one continuous process, in which sometimes the one, and sometimes the other, apparently takes the lead, but in the completion of which, both are uniformly present. We may, perhaps, form an idea of a being that perceives and does not feel; or who perceives at one time and feels at another; but man is not such a being; and all reasoners who proceed upon a supposition of that sort, have involved

* In his *Essay*, Locke bestows one chapter of about four pages upon that subject; and in this respect followed the example of preceding writers, as most subsequent writers have followed his.

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themselves, and always will involve themselves, in endless contradictions.

51. The following list of simple Pleasures and Pains is here submitted as absolutely essential to our present purpose. Some of the heads, it should be noticed, embrace a great variety of particulars.

1. Pains of Hunger,
2. " Thirst,
3. " Wounds, or disorganization of bodily members,
4. " Diseases, or mal-performance of vital functions,
5. Pleasures and Pains of Muscular Activity,
6. " " Mental Activity,
7. " " Heat and Cold,
8. " " Contact,
9. " " Flavor, or Taste,
10. " " Odor,
11. " " Sound,
12. " " Color,
13. " " Form,
14. " " the Sexual Sentiment,
15. " " Self-Comparison, or pleasures of superiority, and pains of inferiority,
16. " " Benevolence,
17. " " Malevolence,
18. " " Recollection,
19. " " Anticipation, or Hopes and Fears,
20. " " Disappointment,
21. Pleasures of Wonder, or Admiration,
22. " the Ludicrous.

In common phraseology, the sensibility to some of these pleasures and pains, and the desires growing out of that sensibility, are confounded together, under the epithet of *Appetites;* the sensibility to some others is called *Sentiment*, or, when aroused and active, *Passion.* Various modifications and combinations of these sensibilities are distinguished in all languages by numerous names; while some of

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them in their uncompounded state, even some of the most important and influential, have hitherto received no names at all in any language.

The philosophers who have adverted to this subject have very much followed whatever empirical classification they found established in their mother tongues. They have even fallen into the error of supposing that whatever is commonly designated by a single name, must be a simple, uncompounded, original emotion. They have not known, or have neglected, the important fact, that ordinary language has been constructed not scientifically, nor for purposes of science, but according to first appearances, and for ordinary use. Thus we have the phrases, moral sentiment, taste, love of power, love of money, love of fame, love of knowledge, fear of pain, love of novelty, indicating certain combinations or modifications of the simple sensibilities above enumerated, such as most usually present themselves in actual life, but not founded upon any scientific analysis or accurate classification. Speculative inquirers upon this, as upon other subjects, have involved themselves in serious errors by imagining that the first inventors of names were profoundly versed in all sciences, and had established a scientific nomenclature; whereas language in its origin is trivial and vague; it is only by long use and slow degrees that it approaches towards accuracy; before it can be safely used for scientific inquiries, it must be rectified and remodelled.*

* Bentham seems to have been the first who felt the necessity — if we wish to attain any accurate knowledge of the Laws of human

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52. Motives of human action may be arranged under the two classes of Pains commonly so called, or Simple Pains, and Pains of Desire. Simple pains have no reference to any pleasure either past or to come; and men might still be capable of them though no such thing as pleasure existed. Pains of desire, on the other hand, originate in some pleasure past or anticipated; and men are only capable of those pains because they are capable or have been capable of the corresponding pleasures.

53. Of the various simple pains, desires, and pleasures of which men are capable, it is possible for several simple pains, or several desires, or several pleasures, or for several simple pains, several desires and several pleasures to be felt together at the same moment. Any pleasure coexisting with any pain, whether a simple pain or a pain of desire, tends, in proportion to the keenness of the pleasure, to diminish the force of that pain as a motive of action; and pains, coexisting together, impel to action sometimes in the same, and sometimes in contrary directions; for the same action that may tend to relieve one pain may tend to aggravate or to produce another.

54. The contemplation of a future pain, as probable or certain, produces a present pain, which may be called a pain of Anticipation. These pains are

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action — of investigating and enumerating the kinds of pains and pleasures. He has given, in his *Introduction to the Principles of Morals and Legislation*, a list of simple pleasures and simple pains. Many, however, which he has classed as such are very complex. So far as Legislation is concerned, that is, for the purpose to which he applied it, that list might answer sufficiently well; but in a general point of view it is very defective.

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what are commonly called Fears. The contemplation of a future pleasure as probable, or as within our power, produces a present pleasure, which may be called a pleasure of Anticipation. These pleasures are commonly called Hopes. They are never quite unmixed, being uniformly attended, in a greater or less degree, by pains of desire, pains of doubt, and pains of fear.*

Desire hardly exists at all, and never exists long, or with any degree of force, without hope. The pleasure of that attendant hope has frequently been mistaken for a pleasure of desire; whereas desire in itself, as has been already stated, is always a pure pain. The coexistent pleasure always depends upon the coexistent hope, and the degree of it. When hope ceases, desire shows what it is, in its own nature and separate from hope, under the black form of Despair.

The pains of fear and the pains of desire attendant upon hope, are powerful motives of action; and, indeed, are the sole impulses to those combined and prolonged systems of action which we observe among men, and especially civilized and contemplative men.

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* "Her younger sister, that Speranza hight,
Was clad in blue that her beseemed well;
Not all so cheerful seemed she of sight
As was her sister; † *whether dread did dwell,*
Or anguish in her heart, were hard to tell:
Upon her arm a silver anchor lay,
Whereon she leaned ever as befell,
And ever up to heaven, as she did pray,
Her steadfast eyes were bent, nor swerved no other way."
Faery Queen, Book I. Canto 10.

† Fidelia, or Faith.

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We form an opinion that the possession of a certain thing, or the accomplishment of a certain object, will free us from certain simple pains which we now feel, or from certain pains of desire excited in us by considering that thing or that object as within our reach, and likely to be productive to us of certain pleasures; and these simple pains, or pains of desire, thus become motives with us to seek that thing, or to pursue that object; even though in the pursuit we are obliged to encounter many other pains. Whenever those other pains come to be more potent than the pains of desire by which we are impelled, they will divert us, either permanently or temporarily, from our pursuit; or a change in our opinion as to the power of the object to affect us; or a cessation of those simple pains, or pains of desire, by which we were originally impelled, will suddenly put a stop to such systems of action, even after they have been followed up for almost a whole lifetime. In these long pursuits, the pleasures of Hope cheer our toils, and often form our only compensation.

55. When one simple pain, or one pain of desire, reaches so high a degree that all other contemporary pains and desires become as nothing in comparison, it is very easy to foresee the direction of human action. But, in general, so many simple pains, and so many pains of desire, are operating together, often in opposite directions, and their power is occasionally so modified by the coexistence of pleasures, as to render the determination beforehand of human action, in particular cases, even if we could obtain an accurate enumeration of all the motives which op-

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erate in any given case, an exceedingly complicated and nice calculation. This difficulty is aggravated by differences in sensibility, that is to say, the different degrees in which different men are capable of pleasures and pains; there being, with respect to the capacity for some pains and some pleasures, a very great variation in different individuals.

There are, however, several pains, the presence or the apprehension of which, is so universal, and so constant, or the return of which is so regular, and which are capable of rising to so high a degree, that they do positively determine the general direction of human conduct. Such are the pains of hunger and thirst, of heat and cold, of wounds and diseases. It is these pains that make food and drink, clothing and shelter, or those means whereby food, clothing, and shelter can be obtained, such universal and inevitable objects of human pursuit.

56. There are several other sets of Pains and Pleasures which keep human life for ever revolving, as it were, in a circle; the one set acting, so to speak, as a centrifugal, the other as a centripetal force, namely, the Pains and Pleasures of Activity, muscular and mental.

Men find a certain pleasure in the mere exertion of all their faculties, whether muscular or mental, independently of any extraneous pleasure which that exertion may procure for them. These are the pleasures of activity;* and the desire of these pleasures,

* Under the general head of the pleasures and pains of activity, are to be included not only the pleasures and pains of muscular activity, but those also of mental activity, of the activity of the Perceptive and Sensitive faculties.

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independently of any others, constantly leads men to action. But if the exertion of any faculty be protracted beyond a certain period, which period is very different in different individuals, what before was a pleasure changes to a pain. These pains of activity, commonly called pains of fatigue, presently become overpowering, and make rest absolutely necessary; which, under these circumstances, as it affords relief from pain, assumes the character of a pleasure. It is, however, a mere negative pleasure, that is, a relief from pain; never a positive pleasure, a pleasure in itself. It ought also to be observed, that what is commonly called rest, is, in general, only a change in the method of action. There is no perfect rest, or cessation of all activity, except in the soundest sleep. What, under the names of Weariness or Ennui, the first word applying more to the muscles, the second to the mind, is sometimes spoken of as though it were a pain of inactivity, is in fact a pain of activity, a pain resulting from the continued perseverance in one course of action, which has thus become wearisome; combined often with pains of desire, resulting from the idea of certain other courses of action, which we conceive would be more agreeable.

57. It is by the capacity of a longer continuous exertion of all their faculties, and a pleasure in it, that men are principally distinguished from children; and it is by a similar capacity of a longer continuous exertion of their mental faculties that educated and civilized men are distinguished from the uneducated and the savage.

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58. Now among the other simple pains, and pains of desire, which together or separately are the springs of all human action, there is to be found a certain simple pain which has its origin in the perception of the pains of others, and a certain desire which originates in the pleasure we derive from contemplating the pleasures of others. That capacity or sensibility, whereby we are capable of feeling this pain and this pleasure, is called BENEVOLENCE, or LOVE, and, because it is esteemed the most excellent and distinguishing part of human nature, HUMANITY.

59. Those actions which owe their origin to this motive, — which, but for this motive, men never would perform, — and there are a certain number of actions which spring from this motive alone, and a vast many over which it exercises an influence greater or less, and which but for that influence never would be performed, — constitute the class of *Disinterested* actions; while all actions, into which this motive does not enter, or into which it enters in so slight a degree that they would have been performed without it, are classed together as *Selfish*, or *Interested* actions.

This is a distinction universally made, and familiar to everybody. Self-interest, in the ordinary use of that word, excludes the motive of benevolence, or love; and to use it, as some writers do, in a sense including that motive, is precisely like using the word white in a sense including black, on the ground that black and white are both colors, and therefore properly called by the same name. It is an abuse of language which can only lead to endless confusion.

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60. If, by the word *self-interest*, nothing is meant but pains and desires, or the susceptibility to pains and desires, then, to say that self-interest is the only source of human action, is to say what is quite true; but at the same time it is to use a form of expression almost certain to deceive both those who hear it and those who use it.*

But if the term *selfishness* or *self-interest* be used in its common and proper signification, if it be employed as the thoroughgoing Epicureans and Hobbists employed it, and as all the world employs it, in a sense excluding those pleasures and pains which originate in the sentiment of benevolence, then to assert that self-interest is the only motive of human action, is to assert a palpable falsehood, against which the sentiment of benevolence exclaims, and, as will presently appear, not less loudly even selfishness itself.

61. It is in this sentiment of Benevolence, Love,

* Even writers so acute as Helvetius and Bentham have been entangled by this ambiguity of expression. Under the term *Self-interest* or *Interest well understood*, they include the pleasures and the pains of benevolence itself. Indeed, but for the capacity in man of those pains and those pleasures, the "greatest happiness of the greatest number" would be an unmeaning jingle, incapable of exercising the slightest influence over conduct. In this particular Helvetius and Bentham differ from those modern Hobbists and those old Epicureans, who denied the existence of such a motive as benevolence, and who employed the word *self-interest* in its common and proper sense, excluding that motive altogether. Yet, misled by the phrase *self-interest*, though they employ it in a sense equivalent to pains and desires, Helvetius and Bentham often reason as though they were mere Epicureans; as if benevolence were a chimera, and as if human conduct were wholly uninfluenced by it; a course of procedure quite inconsistent even with their own systems, according to which benevolence does in fact play a considerable, though a subordinate part.

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or Humanity; it is in this capacity of feeling pains and pleasures from contemplating the pains and pleasures of others, that moral distinctions originate. This is the pain which is called moral pain; this is the pleasure which is called moral pleasure.

62. We designate things in general as good or bad, according as they produce to us pleasures or pains. It is thus that pleasures and pains enter into, and give color, so to speak, to all our judgments. Thus we talk of a good dinner, a good pen, a good picture, a good song; a bad dish, a bad horse, a bad poem, a bad prospect. But we speak of things as morally good or morally bad, only as they afford us a pleasure, or inflict upon us a pain, of benevolence. Thus when we speak of an act as morally good, we intend thereby an act, the contemplation of which produces in us a pleasure of benevolence; and when we speak of men as morally bad, we intend thereby men whose conduct inflicts upon us pains of benevolence.

This double use of the epithets good and bad — for the qualifying adverb, by which the different senses of those epithets may be distinguished, is usually dropped — frequently leads, as we have already mentioned, to great ambiguity, and confusion of ideas. We often speak of bad men and bad acts, without our hearers being able to distinguish, and without ourselves accurately distinguishing, whether we intend thereby, actions and men bad in a moral point of view, that is, productive to us of pains of benevolence, moral pain, or bad in general, that is, productive to us of pain in general, without any

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reference to the particular kind. It certainly may happen that both these senses of the word coincide; and that an action may be pronounced bad in general, merely because it is morally bad. But the contrary also is frequently the case. It is indeed to be observed, that men are with difficulty brought to admit, that actions productive of any kind of pain to themselves can be right; or that actions productive of any kind of pleasure to themselves can be wrong; a circumstance which exercises an extensive influence over moral judgments.

63. The sentiment of benevolence leads us to prize the sentiment of benevolence whether in ourselves or in others, because we see in that sentiment a constant source of pleasures in general, to others, and of moral pleasures to ourselves. At the same time all the selfish sentiments combine to extol the sentiment of benevolence in others, because they see in the benevolence of others a help or means, often an essential means, towards their own gratification. Thus it happens, that those who have the least virtue themselves are often among the loudest in their praises of virtue.

64. The observation of this fact, that the most selfish men, the men, that is, most destitute of virtue, are yet able to appreciate the excellence of virtue in general; and of the additional fact, growing out of circumstances to be hereafter explained, that men perform many actions useful to others from merely selfish motives, the observation of these two facts led Epicurus and Hobbes to imagine that moral distinctions might be accounted for independently of

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motives of benevolence, and by the mere force of self-interest alone.

65. Many men, themselves of the greatest benevolence, and the most ardent friends of virtue and of human happiness, observing what little effect is produced upon the conduct of men in general, by disquisitions about the abstract beauty and intrinsic excellence of virtue; disgusted with those ascetic systems, the object of which seemed to be to banish enjoyment from the earth, and to reduce all to one common level of misery; perceiving how mystical systems of morals, instead of contributing to human happiness, were turned into engines of a universal despotism, and gave rise, under the two forms of bigotry and fanaticism, to the most frightful evils; perceiving to what abuses the theory of self-sacrifice was liable, especially when conjoined with mystical notions; perceiving also how powerful an influence self-interest exerts over human conduct; many benevolent men, and warm friends of human happiness, perceiving these practical defects in existing theories and systems, eagerly caught at the idea of pressing self-interest into the service of benevolence, of reconciling expediency and right, and of producing actions beneficial to mankind at large, by the mere force of selfish motives.

66. Undoubtedly these men have rendered a good service to morality, by showing that moral pleasures and selfish pleasures are not so often in opposition to each other as had been imagined; and that selfish good and moral good are, in a great number of cases, nearly or quite coincident. This method is of great

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use towards promoting the increase of ordinary virtues. In cases, however, in which extraordinary virtue is required it fails entirely; indeed it stands in the way.

67. It is curious to observe, on the other hand, among those who have carried on the most desperate war against Hobbism, Utility, and Interest well understood, many who have contended for disinterestedness in human conduct, under influences almost purely self-interested; or at least excessively narrow. The systems of Hobbes, of Hume, of Helvetius, and of Bentham, taught that men might, and ought, in what they did, to have a chief reference to their own temporal wellbeing. The mystical systems of morals which, before the time of these philosophers, had been universally prevalent in the schools, declared it to be the moral duty of men to disregard their own temporal interest altogether. This doctrine, though, as usually taught, a system of pure selfishness, was nevertheless recommended by a specious appearance of disinterestedness. It had early been pressed into the service of despotism; and men had long been taught by priestly moralists, that it was their duty to submit to all sorts of oppressions and miseries; to surrender up to a select few all the good things of this life; and to labor day and night for the sole benefit of those few; because such is the will and pleasure of God; and it is man's duty to promote God's pleasure by obeying his will. Hence the doctrine of the divine right of popes, bishops, priests, and kings, and the other doctrine, less celebrated, but equally noxious, of the divine appointment of ranks

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and orders, in other words, of the divine right of aristocracies.

All the defenders of the existing unequal distribution of the good things of this world, at once took up arms against the doctrine of self-interest, whether in the shape of Hobbism, of Interest well understood, or of Utilitarianism; because they readily perceived that neither of these theories would allow morality to be any longer made use of, as the tool of a self-interested despotism. Thus we may explain the curious enigma, presented during the last century, of the most benevolent, humane, and liberal-minded philosophers contending for the sovereignty of self-interest, and that, too, from the most benevolent motives; while all the bigots, and all those most violently opposed to sacrificing any existing social arrangements to the demands of humanity, however loud, were most selfishly clamorous in their defence of the disinterestedness of virtue!

68. The fact, that moral distinctions originate in the sentiment of Benevolence, and that benevolent actions and virtuous actions are often but different descriptions of the same thing, in fact, that all virtuous actions must have some tinge of benevolence about them, is far too obvious not to have been noticed by many who have turned their attention to the subject of morals. It has accordingly been held by several forensic schools of moral theorists, and this idea has been adopted by some of the mystics, that virtue consists in pure Benevolence; and to actions springing from that motive alone do they give the title of Disinterested Actions. This false limitation

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of Disinterestedness to pure Benevolence, this theory which has made virtue synonymous with a total abandonment of self, which makes the least regard to self inconsistent with virtue, has led its partisans, when they have attempted to apply their notions to practical morals, into endless paradoxes. It has brought the Disinterested theory into great contempt with all men of the world; that is to say, with the men who have had the greatest experience of human nature, and who ought to understand it best; and has given to the partisans of the Selfish theory a great advantage in the argument.

69. In fact these ultra advocates of disinterestedness, these partisans of the doctrine of self-sacrifice, have wholly overlooked or confounded the distinction universally made in all moral judgments between actions which are right but indifferent; those which are not only right, but duties; and those which are right in the highest degree, but at the same time not duties; and which a man may omit to perform, and yet be entitled to the reputation of ordinary virtue. The partisans of self-sacrifice, with as much contempt for the common sense and common feelings of mankind, as was ever exhibited by Stoics or Epicureans, have held and taught that all beneficial actions within our power to perform are duties, and that every selfish act is a crime. It is a man's duty, they tell us, to devote himself entirely to doing good; that is, to devote all his time and thoughts to the welfare of others, without any regard whatsoever for himself; or at least only so much regard for himself as is essential to preserve his

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existence, and so to enable him to go on doing good to others. It is a man's duty, they say, to make a perpetual sacrifice of his own wellbeing for the benefit of his neighbours. Every action, in any degree injurious to others, is wrong; and nothing can possibly make such an action right, or even permissible.

The partisans of these self-sacrificing doctrines have naturally enough been led to hold, that morals are only to be carried to perfection by exterminating or subduing all the other sentiments, or capacities of pleasure or pain which belong to human nature, and so giving the sentiment of benevolence an absolute preponderancy. Inasmuch as these other sentiments lead perpetually to selfish actions, they are looked upon as participating in the criminality which is ascribed to selfish actions.

It is not considered, that, supposing this object to be accomplished with the whole human race, the sentiment of benevolence would no longer have any matter upon which to exercise itself; since it is chiefly through the medium of the selfish sentiments, that men can confer benefits upon each other. Still less is it considered, that supposing this object to be accomplished in any one individual, he must be reduced to a state of almost absolute inaction; since there exist a vast number of most important cases, in which it is quite impossible to confer pleasures, without at the same time inflicting pains. This is the case in particular with respect to a great number of those acts, the performance of which is universally considered to require the highest pitch of virtue.

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Indeed, it is to be observed, with respect to many partisans of this self-sacrificing school, that while the talk of doing good is for ever on their lips, they all the while talk and do nothing; alleging, as an excuse for their inaction, the fear lest in attempting to benefit some they may injure others. The greatest happiness of the greatest number, according to the disciples of this school, is only an object to be aimed at provided no person in the world suffers pain in consequence; nor can I possibly be justified in conferring a benefit, however great, upon any number, however large, provided one individual thereby suffers pain. Accordingly it has been held, that homicide in war, in a duel, or on the scaffold of justice, stands upon the same moral level with deliberate murder. These moralists have even denied the right of governments to inflict punishments, or indeed to govern at all. They have preached the doctrine of entire non-resistance to injuries; and in general, have taught a paradoxical system of morals too inconsistent with human nature even for themselves to attempt to carry into practice.

We have already pointed out how, upon purely mystic grounds, a similar theory of self-sacrifice was arrived at. These two schools of self-sacrificing moralists, the forensic and the mystic, have always exhibited a tendency to unite, and, for reasons above indicated, and to be more fully explained hereafter, to adopt ascetic ideas. They differ only in this,—the mystic school holds that we should be actuated in all our conduct solely by Love of God; the forensic school sets up, as the only motive, Love of man. We

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shall show presently how it has been attempted to combine and identify these motives.

70. It is necessary that the Disinterested theory of morals should be freed from these incumbrances; and should be so modified as to be made conformable to human conduct and human opinions, such as they everywhere actually exist. Instead of bending facts to theory, we must make theory conformable to facts. To that task we now turn.

71. We have already explained the moral distribution of actions, looking merely to their external character, into the three great classes, Praiseworthy, Indifferent, and Wrong. We have shown that all actions are arranged in one or the other of these classes, accordingly as they are regarded as productive of pleasure, of pain, or of neither, to sensitive beings other than the actor; a distribution, be it observed, which originates entirely in the sentiment of benevolence.

But there is a great class of actions, to which just now we had occasion to allude, the results of which are not simple, but complex. These actions produce pleasure to some, and pain to others; or they produce both pleasure and pain to the same individual. It is with regard to this sort of actions that the greatest differences exist in systems of practical morals. We shall find, however, that actions of this complicated character, where different individuals are affected by them, are reckoned as praiseworthy or wrong, accordingly as attention is principally directed to the pleasures, or to the pains, which

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they occasion.* Where all the results, both painful and pleasurable, fall upon the same individual, the classification of the act depends upon our opinion as to the relative vivacity and permanency of the pleasures and the pains.

72. Such is the moral classification of actions, when we consider only, or principally, their external character; that is to say, the results which they produce. But when we come to consider actions with regard to their internal character, that is, with regard to the motives which produce them, they are divided into the five following classes:

1st. MERITORIOUS ACTIONS; actions which entitle men to applause, and to the character of superior virtue. These actions rise by various gradations one above another.

2d. DUTIES, or OBLIGATORY ACTIONS; actions the performance of which is expected from all men; and which entitle the performer to the character of ordinary virtue. These actions also admit of various degrees, some being considered much more obligatory than others.

3d. INDIFFERENT ACTIONS; actions which do not affect the moral character in any way. Morally considered, these actions are all perfectly alike.

4th. PERMISSIBLE ACTIONS; actions which, although they may be painful to others, and intended to be so, are yet not esteemed vicious; that

* The laws according to which the pleasurable or the painful results of an action, in its effect upon others, principally attract our attention, will be stated in the next chapter.

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is, are not considered as proofs of a want of ordinary virtue. These actions likewise admit of many gradations, some being esteemed more permissible than others.

5th. VICIOUS, CRIMINAL, OR WICKED ACTIONS; the performance of which proves a want of ordinary virtue. These actions descend by various gradations to the lowest depths of iniquity.

Before the Disinterested Theory of Morals can become at all satisfactory, it must be made consistent with this quintuplicate division of actions; a division which prevails in all practical systems of morals, all the world over; and we must explain, also, and reconcile to this theory the great discrepancies everywhere discernible in practical systems of morals, in the classification of actions under these several divisions.

73. For that purpose the following propositions will suffice.

First. *Those actions beneficial to others, or supposed to be so, which are performed by the greater number of any given society, and which, therefore, argue only an ordinary degree of virtue, that is to say, an ordinary degree of the force of those sentiments by which acts beneficial to others are produced, are esteemed by that society to be* DUTIES. *The performance of these actions entitles to the character of* ORDINARY VIRTUE; *and men are considered under a* MORAL OBLIGATION *to perform them.**

* It was the perception of the truth of this proposition that led Aristotle to define virtue as consisting in a habit of mediocrity, — a definition correct enough, so far as *ordinary virtue* is concerned, but which excludes all idea of extraordinary virtue. Hence, too, both in

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Second. *Those actions esteemed beneficial to others, which are not performed by the majority of any society, and which, therefore, argue a superior force of those sentiments by which acts beneficial to others are produced, are esteemed by that society to be virtues of a high degree,* MERITORIOUS ACTS ; *and meritorious in proportion to their rarity ; entitling the performer to the character of* EXTRAORDINARY VIRTUE.

Third. *Those actions esteemed injurious to others, from the performance of which the majority of any society are not restrained by the force of moral obligation, that is to say, by the force of those sentiments by which acts beneficial to others are produced, are in that society esteemed* PERMISSIBLE ; *that is, are regarded as acts the performance of which does not detract from a man's reputation for ordinary virtue.*

Fourth. *Those actions esteemed injurious to others from the performance of which the majority of any society are restrained by the force of moral obligation, that is, by the force of those sentiments by which actions beneficial to others are produced, are in that society esteemed bad,* VICIOUS, CRIMINAL, WICKED ; *and the performance of such acts subjects him who performs them to the character of a* VICIOUS, WICKED MAN, *deficient in the sense of moral obligation ; an unprincipled man ; a bad man ; and bad in proportion to the rarity of the sort of acts to which he owes that reputation.*

Fifth. *With respect to that great class of actions which have a double result, injurious to some and beneficial to*

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the Greek and Latin languages *morals* and *manners* were designated by the same word, — that being esteemed moral or ordinarily virtuous, which was customary, — which the average force of the sentiment of benevolence induced or allowed men to do.

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others, we have already stated upon what principles those actions are classified as right or wrong. We shall presently show how it happens that a slight benefit to one party will often so engross our attention, as to make us overlook, or neglect, a great injury to another party; and how a slight injury to one party will often so engross our attention as to make us overlook and neglect a great benefit to another party; thus producing very discordant opinions as to the point whether these actions with double results are right or wrong. *That point being once settled, the action, if we regard it as right, is esteemed meritorious, or a duty; if we regard it as wrong, it is esteemed permissible or criminal, according to the rules enunciated in the four preceding propositions.*

74. If these propositions are well founded, it will follow that Morality, instead of being an abstract thing, independent of human nature, something external to it, whether originating in the absolute nature of things, in the decrees of God, or the arts of man, grows, in fact, out of man's very constitution, and so affords matter for a true subjective science of morals. It will also follow, that we may discard as unfounded the opinion so sedulously propagated, not only by partisans of the mystic school, but even by many forensic writers, that it is possible, indeed certain, that individuals and whole communities may and will shake off or lose all sense of moral distinctions, and cast off the restraint of moral obligation, unless public teachers of morality be employed and paid, to inculcate moral precepts. The first of these conclusions is of the greatest importance to abstract science, the second to practical politics.

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CHAPTER II.

LAWS OF THE OPERATION OF THE SENTIMENT OF BENEVOLENCE AND OF THE OTHER PRINCIPAL EMOTIONS WHICH CONTROL OR MODIFY IT.

1. To make manifest the truth of the five foregoing propositions, to demonstrate that all moral judgments are regulated by them, and to point out how conformable they are to the constitution of man, it will be necessary to investigate the laws according to which the sentiment of benevolence acts; and to consider the other principal sensibilities to pleasure and pain, by which the impulse of the sentiment of benevolence towards the production of beneficial actions,* is sometimes corroborated, and sometimes opposed.

2. The first law which regulates the action of the sentiment of benevolence is a universal law, common to all our sensibilities to pleasures and pains. In order that the sentiment of benevolence should operate, that is, in order that we should feel pain or pleasure from the pain or pleasure of others, and should in consequence be impelled to act, it is necessary that the stimulus, or natural exciting cause of the activity of this sentiment, to wit, the pain or

* By the phrase, *beneficial actions*, when used in this Treatise, must always be understood *actions productive of pleasure to sensitive beings other than the actor*. The phrase, *injurious actions*, is used to signify actions which fall under the class of *criminal actions*, actions not only painful to others, but morally wrong.

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pleasure of others, should be present to our understanding; either sensibly present, that is, perceived at the time, through the medium of the senses; or conceptively present, that is, contemplated at the time, by means of the conceptive faculty, under which name we include what are usually denominated the faculties of Memory, Imagination, and Judgment.

3. As with the greater number of men things presently perceived by the senses, occupy a very large proportion of their thoughts, so the pleasure or pain of others seldom becomes with them a motive of action, except when, and so long as it is an object of sensible perception; and, therefore, with the greater number of men, the sentiment of benevolence only embraces those with whom they come into sensible contact, that is to say, a very limited number.

The degree in which the conceptive faculty is exercised, greatly varies, not only with individuals, but with whole classes, communities, and nations. Unassisted memory can only recall some few particulars of what we ourselves have seen or felt; and Imagination unassisted can only rearrange the materials of memory in a new order. But the faculty of speech, and the arts of painting and sculpture, and more particularly of writing, enable each individual to communicate all his recollections, all his imaginations, all his emotions to a vast many others. Conceptions committed to writing assume a permanent character, and become a common stock for all by whom those writings are perused; and thus is opened, among the cultivated and educated, a new and vast field for the

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exercise of the sentiment of benevolence, and, indeed, of many other sentiments.

Those pains and pleasures of others by which the conduct of the savage is influenced are only the pains and pleasures of those immediately about him, and with whom he comes personally into contact. We ought, however, to add the occasional influence of the supposed pains and pleasures of some vague, supernatural beings; for the mystical hypothesis, in greater or less development, is to be found prevailing even among the most savage tribes.

In a cultivated age and country, all participate, more or less, in the great store of accumulated knowledge; and by the aid of the conceptive faculty, the pains and pleasures of the antipodes, of generations long passed away, or yet unborn, come to exercise a greater or less influence over us.

It is to be observed, however, that, except in a few rare instances, the senses are always an overmatch for the conceptive faculty. What is sensibly perceived affects us much more powerfully than what is conceptively perceived; and the permanent reversal of this relation of the senses to the conceptive faculty, indicates a disordered intellect.

A remarkable illustration of the law, that the pains and pleasures of other sensitive beings, in order to affect us, and to influence our conduct, must be objects of distinct perception, is afforded by the fact, that while we are very sensibly affected by the pains and pleasures of the larger animals, between whom and ourselves we can discover a close analogy, and whose pains and pleasures are evinced

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by signs which we cannot fail to understand; the pains and pleasures of the inferior orders of creation, of insects, worms, shell-fish, and animalculæ, affect us very slightly, or not at all. That man would be thought guilty of a ridiculous affectation, who should undertake to pity the pains of an oyster; and the mutilation and death of ten thousand flies or emmets, even by his own act, would not give the slightest uneasiness to the man, whom the slaughter, before his eyes, of a single cow or sheep would affect quite disagreeably. An oyster or an ant may, perhaps, suffer as much in being crushed to death, as an ox. But the signs of pain in the ant or oyster are much less perceptible, and hardly attract our notice.

4. It is in this law, too, that originates the great efficacy of complaint, as a means of exciting benevolence, and of obtaining aid or relief. Complaint consists in giving evident signs of the pain we suffer; and so bringing home that pain to the knowledge of those about us. Many actions esteemed innocent, so long as they are not complained of, acquire the character of being wrong, if persevered in, in spiteof complaints; and there is no surer sign of hardheartedness, that is, of a deficiency in benevolence, than to listen to complaints unmoved, especially when they relate to our own conduct.

5. When we compare the force of the sentiment of benevolence and of the pains and desires which originate in it, with the force of the other sensibilities to pains and pleasures which form a part of human nature, we find a great number of pains capa-

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ble of rising, and which ordinarily do rise, to a pitch at which they gain a complete mastery over the pains and desires of benevolence, so as often to impel men to act in direct opposition to the dictates of benevolence.

Among these potent pains may be enumerated the pains of hunger, of thirst, of heat, of cold, as well as that endless number produced by wounds, and diseases, including that depression of mind called Melancholy, a disease, under the influence of which, existence becomes a burden, and nothing has any longer any power to give us pleasure. All these pains frequently rise to such a height as to overmaster the usual force of the pains of benevolence; so that men, under their influence, are no longer considered subject to the ordinary laws of moral obligation; and many acts, under those circumstances, assume a permissible character, which otherwise would be considered wholly inexcusable. On the other hand, many acts performed by persons subjected to the influence of these potent pains, by a hungry or thirsty man, for instance, which, under other circumstances, would be considered as quite matters of course, assume, from the counteracting influence to which the actor is exposed, a character of exalted virtue. Such was the act of Sir Philip Sidney, who, wounded and dying, refused the cup of water brought to him, with those memorable words, — pointing to a wounded soldier gasping with thirst, — "Give it to him; his need is greater than mine!"

6. In fact, every degree of simple pain, not moral pain, which a man suffers, is liable to have, and with

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certain exceptions presently to be pointed out, does have, an effect, in proportion to its intensity, to diminish the influence of the sentiment of benevolence upon his conduct; and that for the obvious reason, that it impels him to act in a peculiar direction of its own; often and most commonly, in a direction very divergent from that of benevolence. This fact will serve at once to explain the reason of that observation so generally made, that misery produces vice; that competency is the greatest security for virtue; and that poverty often leads directly to crime. Poverty exposes to many pains which tend to neutralize the force of the sentiment of benevolence; while competency protects against those pains. Hence, too, we may learn the futility of all efforts, made or making, to inspire with sentiments of virtue and benevolence, great masses of men, who are kept, at the same time, in a state of starvation; or in a state of social inferiority and disgrace, hardly less painful than starvation itself.

7. Not only does pain of any kind, in proportion to its severity, commonly tend to neutralize the force of the sentiment of benevolence; it gives occasion to the exercise of a sentiment directly opposite to that of benevolence; to wit, the sentiment of Malevolence, whereby we become capable of feeling pain at the pleasure of other sensitive beings, and of feeling pleasure at their pain; from which capacity of pleasure springs a desire to inflict pain upon others. The compass of this sentiment, however, is not equal to that of the sentiment of benevolence; since it embraces only those whom we suppose to have

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inflicted pains upon us, or from whom we apprehend the infliction of pains, which apprehension itself amounts to a present pain. The sentiment of Malevolence is not only excited by the infliction upon us of other kinds of pains, but also by the infliction of moral pains, or pains of benevolence, that is, by the infliction of pains upon others who are the objects of our benevolence. When first, or suddenly excited, this sentiment is called anger, or indignation; when it assumes a permanent character, it is called Malevolence, or Hate. The desire of inflicting pain upon others, to which this sentiment gives rise, is commonly called the spirit of retaliation; or when it lasts long, and is carried to excessive lengths, Revenge.

As soon as any sensitive being becomes the object of this sentiment of malevolence, so far as relates to him individually the sentiment of benevolence falls into abeyance, and we take an actual pleasure in his pain. Hence the delight with which the punishment, and even the torture, of a great criminal is regarded; and hence the horrid cruelties, which, under certain circumstances, men find a pleasure in inflicting upon each other.

8. The sentiment of Benevolence, and the sentiment of Malevolence are usually represented as absolutely hostile; and so, in a certain point of view, they are. But as motives of human conduct, these two sentiments often concur to produce a common end. An unprovoked injury — that is to say, an injury which the ordinary force of the sentiment of benevolence would have prevented — inflicted upon

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a person who is an object of our benevolence, excites in us a pain of benevolence, which impels us to rescue or relieve the injured party; and that pain of benevolence excites in us, at the same time, a malevolent desire, which seeks its gratification by the infliction of some pain upon the party who did the injury.

9. It is in this source that we find the origin of punishments, and of that satisfaction which the infliction of punishment diffuses throughout the community, whether that infliction come from the injured party, from the bystanders, in the shape of what is called Lynch Law, or whether it be administered according to legal forms. This desire for the punishment of offenders is often denominated the sentiment or attribute of justice. What is designated by that respectable epithet is frequently little else than pure malevolence.

As regards legal punishments, however, mere benevolence, without the least mixture of malevolence, may well sanction them; since it is a decided advantage to the criminal himself to be guarantied a protection against the headlong vengeance of the injured party, or the excited hatred of an infuriated mob; which only can be done by delivering him over to the officers of the law, and affixing a penalty to his offence, proportionate to the general idea of its injurious nature.

Moreover, the infliction of punishment upon a criminal, not only produces a particular pleasure to the injured party, and a general pleasure to all who know the fact of the crime and the punishment; but it also has a tendency to prevent the repetition

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of the offence, whether by the same party, or by others. It thus becomes a preventive of suffering. The pain of a man, who, by reason of his criminal act, has ceased to be an object of our benevolence, and whose pain therefore does not give us any pain, becomes a means of protecting others, who are objects of our benevolence, from being subjected to injuries which would cause us pain.

10. The sentiment of malevolence has, in different societies, not only very different objects, but even a very different amount of average force. He who, in retaliation, goes beyond what would be prompted by the average force of that sentiment in the society to which he belongs, inflicts, by so doing, a pain of benevolence upon those about him, and becomes, in his turn, an object of moral disapprobation, that is to say, a cause of moral pain, and in consequence, an object also of the sentiment of malevolence.

The force of this sentiment is strongest when excited by a recent injury; and many actions are esteemed permissible in an angry man which would be wholly inexcusable after there had been time for passion to subside. So, in a barbarous state of society, in which laws have hardly been established, and in which each man remains the avenger of his own wrongs and those of his friends and relations, many actions are esteemed permissible and even praiseworthy, which, in more civilized communities, are totally prohibited.

11. The objects of the sentiment of Malevolence are sensitive beings who are the causes to us, voluntarily or involuntarily, of pain. But such as are the

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voluntary causes of pain to us, become the objects of this sentiment in a higher degree, because, joined to the first immediate pain which we suffer, there is the apprehension that the same ill-will which has caused us that immediate pain, may also inflict upon us additional future pains; which apprehension of additional future pains is itself a second immediate pain of no inconsiderable severity. More yet, he who inflicts an injury upon us, which we consider to have been unprovoked, or greater than the provocation would warrant, becomes thereby an object of our moral disapprobation, is considered by us to have done wrong, and to have shown himself, at least in that particular, a bad man; and for that additional reason he becomes still more an object of our malevolence.

12. In this way whole tribes and nations become objects of hatred and malevolence to each other, often from very slight beginnings. The feud commences, perhaps, in some trifling injury inflicted by a single member of one tribe or nation upon a single member of the other. The clansmen of the injured party, instigated by their benevolence towards the sufferer, conceive a feeling of malevolence towards the party who inflicted the injury — which malevolence presently extends to all his tribe, on account of the protection and countenance which their benevolence prompts them to afford him. They proceed to retort the injury suffered, either upon him who inflicted it, or upon some of those connected with him. Revenge, thus associated with benevolence, comes presently to be regarded as a moral duty.

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Retaliation upon one side leads to retaliation upon the other. The quarrel spreads and widens, and at last is transmitted as an hereditary feud, the members of the two hostile tribes being taught from their earliest infancy to expect from each other nothing but injuries, and of course, to look upon each other with mutual malevolence.

13. Malevolence often rests upon purely fanciful grounds. A notion is taken up, that men belonging to a particular class, of a particular complexion, or entertaining particular opinions, are, from that very fact, men destitute of virtue, and certain to inflict injuries upon all those with whom they come in contact. From being thus represented as objects of fear, they become at once objects of hatred. It is enough to call a man a Jew, a negro, an infidel, a heretic, an atheist, to present him to the minds of many other men as a creature destitute of humanity, and bent only upon mischief; and in those minds, to which such an idea is present, malevolence springs up as a necessary consequence.*

* This mixture of benevolence and malevolence, in which malevolence appears to predominate, is the *Antipathy* which plays so conspicuous a part in the moral system of Bentham, and which he represents, united with Sympathy, as one of the antagonist principles to the Principle of Utility. What he calls *Sympathy* is a mixture of the same kind, in which Benevolence appears to predominate. Its operation will form the subject of the eighth chapter of the Second Part. In his general and sweeping condemnation of all sympathies and antipathies, Bentham has gone much too far. Without them the idea of General Utility could hardly exist. The Sympathies and Antipathies, which are hostile to the Principle of Utility, are sympathies and antipathies founded upon mistakes; such as antipathies against a Frenchman, against a papist, against a negro, against an infidel; antipathies founded on the notion, that he who is one or the other of these, must of necessity be

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14. It is a common observation, that we hate those whom we have injured. It is not difficult to discover why. Those whom we have injured will naturally hate us, and will be watching, in all probability, for some opportunity of retaliation. Of this we are well aware; and being aware of it, we fear them. Fear is a present pain, caused by the apprehension of future pains; and this pain of fear, according to the law already stated, excites our malevolence against those who are the causes of it. We fear them because we have injured them; and we hate them because we fear them.

15. But if sensitive beings, who are the voluntary or involuntary causes of pain to us, cease in consequence to be objects of our benevolence, and even become to us objects of malevolence, it is at the same time true, that sensitive beings, in proportion as they are the voluntary or involuntary causes of pleasure to us, become, in the same proportion, particularly the objects of our benevolence, a circumstance which will help to explain what no theory of morals hitherto propounded does explain, why, of the sensitive beings within the scope of our perceptive and conceptive faculties, some are much more

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a dangerous and injurious character. If such were the fact, these antipathies would be perfectly coincident with the principle of utility; and their want of coincidence with that principle grows out of a mistake in point of fact. Antipathies, unfortunately, are often prolonged after the facts in which they originated have ceased to exist.

Mistaken sympathies arise in the same way, from falsely ascribing beneficial qualities to men or classes of men, by reason of their birth, nation, or opinions, religious, philosophical, or political, when, in point of fact, there is no warrant for any such inference.

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objects of our benevolence than others; and why many things are ordinarily required as duties towards a wife, a child, a father, a friend, a neighbour, a fellow countryman, which, if done to a stranger, would argue a very uncommon degree of virtue, and would be set down as highly meritorious acts.

16. We will examine, in the first place, those pleasures of which men are the involuntary causes to each other. One of the most universal and obvious of these pleasures, is that which arises from the perception of personal beauty. Those who have written upon Beauty have confounded many things together which have no connexion. Thus we hear of the beauty of virtue, which phrase, if it mean any thing, can only mean the pleasure which the contemplation of virtue affords us, a pleasure very distinct from those which beauty occasions, and which give rise to what are called the Laws of Taste, the investigation of which will form the subject of a separate Treatise. By beauty, in its strict sense, is signified a power which certain colors, forms, and motions,* and combinations of color, form, and motion have, of producing in us certain pleasurable feelings. The contemplation of human beauty is attended by an additional pleasure, because certain outward traits are considered indicative of certain agreeable mental qualities.

17. The human voice may be either melodious or otherwise; that is, the cause to us of an additional

* Motions indeed are but a sort of changeable forms, and the pleasures and pains which originate in the contemplation of them are properly classed among the pleasures and pains of form.

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set of pleasures or pains. The power of speech enables men to excite in the minds of others, through the medium of the conceptive faculty, a great variety of pleasures and pains, especially those of mental activity, of admiration, of the ludicrous, of Self-comparison, of Benevolence, of Malevolence, of Anticipation, of Disappointment, many of which pleasures and pains a man often involuntarily produces in others; but which, nevertheless, are great causes of benevolence or malevolence towards him who produces them.

18. Persons of different sexes have an additional and most powerful means of acting upon each other through the sentiment of sexual desire; by reason of which, all other things being equal, men find far greater pleasure in the society of women than of men, and women far greater pleasure in the society of men than of women. So powerful is the operation of this cause, that men and women, who, but for the circumstance of being of an opposite sex, would be absolutely in tolerable to each other, may become, from that cause alone, very pleasing companions; an observation which will suffice to explain many curious phenomena in social and domestic life.

The joint influence of sexual desire, of the pleasures which are produced by personal beauty, and of all or several of the other pleasures above alluded to, occasion in men and women towards persons of the opposite sex, that highest pitch of benevolence called, *par excellence*, Love.

Love, in this its original and proper signification, at least when it reaches any high pitch, hardly

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extends, at one and the same time, to more than a single individual; and persons of the most ordinary benevolence are accustomed, under the influence of this sentiment, to submit to great pains, or to sacrifice great pleasures, for the greater pleasure of pleasing the object of their love. As in several codes of practical morals, men and women are supposed to marry from pure love and nothing else, and as they are made to promise to love each other as long as they live, which promise they are all held bound and able to fulfil; husbands and wives being thus set down as perpetual lovers; hence many things are regarded as duties between husbands and wives, which no other parties are expected to perform towards each other; and which, if done to a stranger, would prove a degree of benevolence very uncommon. The circumstance, that love embraces but a single individual at once, explains why it commands, notwithstanding the intensity of benevolence which it implies, but a limited degree of moral approbation.

19. The pleasure of Wonder, or that agreeable feeling usually called Admiration, has a power over the sentiment of benevolence, hardly, if at all, inferior to that of sexual desire; and indeed this feeling of admiration is a necessary element in that compound sentiment called *Romantic Love*, which plays so conspicuous a part in the literature of Modern Europe. When the sexual element is wanting, that high degree of benevolence towards particular individuals, of whatever sex, or even towards imaginary beings, which admiration produces, is called *Loyalty*, *Devotion*, and sometimes, also, Love. This

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double use of the word Love, sometimes including, and sometimes excluding, the element of sexual desire, has constantly led to a great confusion of ideas.* What adds to the confusion is, that the word Love is also used to signify any strong desire. Thus we speak of Love in general, meaning thereby emotions of benevolence; of the love of wealth; the love of power; and of self-love, meaning thereby the combined influence of all the desires, except those which originate in the sentiment of benevolence, and sometimes not even excepting those.

Admiration is an agreeable feeling, produced in us by the contemplation of any thing that is new to us, or uncommon. What is common, we view with indifference. When the new or uncommon thing, besides being new or uncommon, is beautiful also, or possesses any other capacity of giving pleasure, the additional pleasure of admiration gives it so much the more powerful an influence over us. When the new or uncommon thing has no beauty, nor any other power of giving pleasure, separate from its rarity or its novelty, that alone may produce a great effect. And even when the new or uncommon thing is in itself a cause of pain, the pleasure of admiration which it produces may for a time neutralize and even overbalance that pain; an observation which will enable us to understand why, in works of art,

* Platonic Love is the name given to those attachments between persons of different sexes who are fitted to excite the sexual sentiment in each other, but from whose attachment that sentiment is supposed to be excluded. The existence, however, of such a thing as Platonic Love is regarded by the best authorities as very apocryphal.

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novelty, and even faulty novelty, is often mistaken for beauty.

Sublimity is uncommon greatness or power. This is implied in the very etymology of the word. The pleasure which sublime objects afford is a pleasure of admiration altogether distinct from that which beautiful objects afford; though, in some cases, the same object may afford both these pleasures at once. What is called the Moral Sublime is a different thing altogether. It is merely uncommon virtue.*

What is common we view with *Indifference.* But when the capacity of Admiration is great and predominant, the want and desire of something to gratify it produces a pain, usually described as weariness or *Ennui*, and which, in a secondary point of view, is correctly enough attributed to the commonness of the things about us.

When we have formed expectations of deriving pleasure from certain objects, whether pleasures of admiration, or of any other kind, and those objects fail to come up to our expectations, there ensues a pain of disappointment, then called *Contempt*, which, when it relates to sensitive beings, gives rise to a feeling of Malevolence.

The sentiment of Wonder is the source of that pleasure which we derive from the strange and the marvellous; and, as we have seen, of the weariness we experience from what is common and vulgar.

The heightening effect of admiration upon the sentiment of benevolence will serve to explain why

* The subject of beauty and sublimity will be more fully considered in the *Theory of Taste.*

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many acts, not performed nor required towards ordinary persons, are ordinarily demanded, and readily performed, nay, even considered as duties, towards supposed supernatural beings, and towards persons of high rank or distinguished abilities, or who in any way have become objects of general admiration.

20. What are called *Attachments* or *Friendships*, that is, a peculiar warmth of benevolence in two parties towards each other, depend, in a great degree, upon pleasures of one kind or another, which the parties mutually derive from each other's company; and which are often involuntarily conferred upon both sides. This is so much the case, that attachments often survive the voluntary and deliberate infliction of injuries. In general, however, attachments depend, in a considerable degree, upon the mutual interchange of pleasures voluntarily conferred. Such pleasures are usually called *Benefits*; and these, in the second place, we proceed to consider.

21. That heightening of the sentiment of benevolence, which is produced towards those who voluntarily confer pleasures upon us, is called *Gratitude*. Gratitude ordinarily produces many actions which the unassisted force of the sentiment of benevolence will not ordinarily produce; and therefore, in every code of morals, many things are regarded as duties towards benefactors, which are not required towards men in general. Hence the peculiar duties of children towards their parents, of *protégés* towards a patron, of citizens towards the state, or the duties of

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patriotism, as distinguished from the duties of philanthropy, — the state being personified and considered capable both of conferring and experiencing pains and pleasures, — duties, which, when the supreme power has been concentrated in the hands of an individual, have been transferred to that individual, and have received the name of *Obedience*, or *Political Loyalty*; the non-performance or denial of these alleged duties being stigmatized as *Treason*, or *Rebellion*.

22. The well known fact that benefits conferred tend to heighten benevolence towards him who confers them, and so to produce benefits in return, joined to the other well known fact that injuries inflicted produce, towards him who inflicts them, the sentiment of malevolence, and so expose him to suffer injuries in his turn, frequently leads men to abstain from injuries, and to confer benefits, from purely selfish motives. The general favor which a man acquires to himself by the character of a good man, and the general disfavor to which a man exposes himself by the character of a bad man; these, with many sagacious persons, furnish in themselves sufficient motives for a general conformity to the ordinary rules of morality prevailing in the societies to which they respectively belong. The observation of this circumstance, joined to some other considerations which we have already pointed out, led the old Epicureans, and the modern Hobbists, to attempt the explanation of the moral phenomena of human nature upon the single principle of prudent self-interest.

With men of naturally cool temperament and su-

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perior sagacity, and for every-day morals, this Epicurean theory may, perhaps, answer tolerably well. And the tendency of moral conduct to promote our own selfish interest is a topic of which benevolence itself will sanction the frequent use; since it is evidently a means, and a powerful means, of procuring the performance of many beneficial actions. But it is in vain to expect from merely selfish motives, any great or heroic acts of virtue.* Indeed, even with respect to that part of virtue more particularly distinguished as prudence, or duties to ourselves, the selfish benefits of which are most clearly obvious, it is only a few men whom a mere regard for their own selfish welfare is able to keep within due bounds, — and these are generally men, whose inclination for imprudent indulgences is naturally weak.

23. There yet remains to be considered a set of pleasures and of corresponding pains, which exercise a perpetual and very powerful influence over human judgment and conduct, acting sometimes in opposi-

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* The good and wise man of the Epicurean philosophy is very well described in the following lines of Pope:

> "With every pleasing, every prudent part,
> Say, what does Cloe want? She wants a heart.
> She speaks, behaves, and acts just as she ought,
> But never, never reached one generous thought;
> Virtue she finds too painful an endeavour,
> Content to dwell in decencies for ever.
> So very reasonable, so unmoved,
> As never yet to love, or to be loved."
>
> *Moral Essays*, Ep. II.

It is worthy of remark that the sort of virtue described in these lines is the only sort of virtue, which, according to current, and especially English notions, is appropriate to the female sex.

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tion to, and sometimes in conjunction with, the sentiment of benevolence. The sensibility in which these pleasures and pains originate, strange to say, has no specific name in any language of Europe, — a striking proof, among many others, how little the language of every-day life is adapted to the purposes of scientific inquiry. We shall call this sensibility the sentiment of Self-comparison. The pains and pleasures to be referred to this sentiment are, pains of Inferiority and pleasures of Superiority, which pleasures give rise to a Desire, commonly called the Love of Superiority.

Each individual suffers pain, in a greater or less degree, from perceiving himself to be inferior to those about him, whether in knowledge, strength, ability in general, natural or acquired, agreeable qualities, wealth, or, in fact, any one particular in which it is possible for one man to be superior to another. According to the judgment which he forms of his own relative capacity, and according to the position in which he stands, each individual selects some point or points, in which he thinks himself able to excel, and some persons over whom he thinks himself able to triumph; and he consoles himself for the inferiority which he is constrained to admit upon numerous other points, and as respects numerous other individuals, by the enjoyment, or the anticipation of superiority on some point, over somebody. Nor is this sentiment excited only by a comparison between ourselves and other men. We compare ourselves with other animals, and even with inanimate objects, and accordingly as we find ourselves

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superior or inferior, we derive pleasure or pain from the comparison.

24. With respect to this sentiment, as with respect to every other, habit and the apparent possibility or impossibility of its gratification have a very powerful influence. As regards those whose superiority over us is unquestionable and irreversible, or whose superiority we have been taught from early childhood to regard as unquestionable and irreversible, the pain of inferiority is felt in a very slight degree, assuming the form of *Embarrassment* or *Bashfulness;* or it may be wholly superseded, and displaced by a pleasure of admiration. It is only with respect to those whom we have been accustomed to regard as our equals, or inferiors, that this sentiment exercises its full force. Hence the hate with which rising talent or rising genius is regarded; hence the dislike of *new men* not less on the part of those from among whom they have risen, than on the part of those among whom they have placed themselves.

It is in this sentiment that *Pride* and *Vanity* have their origin. Pride is a feeling of superiority exhibited in a man's general manners and bearing, by a distance, reserve, and haughtiness towards others, as though he were a superior being to them. Vanity is the same feeling exhibited in words or actions by a constant display of one's self, and a constant celebration of one's own excellence. Pride and vanity both inflict pain by trenching upon the love of superiority in others; whereas *Modesty* and *Humility* flatter the love of superiority in others, and give them pleasure; whence they are pronounced good and

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amiable qualities; that is to say, qualities that give pleasure, and which tend to excite a feeling of benevolence towards those who exhibit them.

25. Good manners, which have been very properly called the "lesser morals," consist, in a great measure, in paying deference and respect to others, — thus gratifying in them the sentiment of self-comparison, and so affording them pleasure. This may be done either from benevolent or selfish motives. In the former case, it is called gentleness, *Politeness*, good breeding; in the latter case it is called *Flattery;* or when it is excessive, and plainly intended to secure some benefit to ourselves, through the agency of the person flattered, and in consequence of his benevolence towards us excited by means of it, it is stigmatized as *Sycophancy*. The proverbial power of flattery indicates the great and general force of that sentiment to which it is addressed.

Those persons who are most universally popular, that is, who are regarded with the most general favor, and who have the fewest enemies, are those over whom the sentiment of benevolence, either from their original constitution, their education, or their position, exercises influence enough to make them uniformly polite and obliging in little matters; who enjoy a good flow of spirits, that is to say, a succession of pleasurable ideas, which they have the power of communicating to others; whose talents are but ordinary, though their accomplishments are considerable; and over whom the love of superiority exercises but a moderate degree of force. These are what are

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commonly called good, amiable, agreeable, pleasant persons. They are general favorites; but they never become objects of that enthusiastic love of which admiration is an essential ingredient; nor do they often perform distinguished acts of virtue.

26. The love of superiority seeks and finds its gratification in a vast variety of ways. It is this sentiment combined with certain pleasures of activity, that gives a zest to hunting, fishing, war, and all the numerous games, whether of skill or chance, in which men so generally delight, and the object in all which is, to conquer, subdue, or excel.

It is this sentiment upon which depends the distribution of men into ranks and orders; and hence it is that the most trifling circumstance, a title, a place, a wreath of leaves, a ribbon, a spangle, may come to be regarded as a matter of the utmost importance, if it only be converted into a mark of superiority. It is this sentiment, also, which makes fame, applause, glory, reputation, such objects of pursuit.

27. But this sentiment finds, perhaps, its fullest and most complete gratification in the power of commanding and controlling the actions of others. It is to the love of superiority that government owes its origin; for though it be true that government is of such obvious utility, and even necessity, that both the benevolent and the selfish motives unite to induce men to submit to it; yet government existed before its utility was ever thought of; and its utility only became known in consequence of its prior establishment. That desire of authority, distinction, and respect, which is displayed by the head of every

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family, — at least by every good head of a family, — for mere tenderness and affection uniformly degenerate into the most fatal indulgence, — leads to the extension of that authority over neighbouring families, over tribes, over nations. All government is originally monarchic in its character. Projects for the distribution and the division of power, aristocratic and democratic forms of government, are the contrivances of later times; originating, however, in that same sentiment, which gives rise to the original monarchy; that sentiment, namely, which makes inferiority painful, and superiority pleasurable.*

28. There is, however, a sort of power, much more attainable by men in general, than political power, to wit, the power which the possession of wealth bestows; and this power, accordingly, is a much more universal object of pursuit.

Wealth is the possession of the means of enjoying many pleasures, and of escaping many pains; and money, which is the representative of wealth, is, therefore, sought from a great variety of motives, that is to say, through the impulse of a great variety of pains and desires. But after all, it is the desire of superiority which is the great and permanent motive for the accumulation of money; — a motive which continues to operate after all others have lost their force; and which grows stronger by indulgence, till the last moment of life. Hence it happens that in communities in which the desire of superiority is most fully brought into play, — countries, for in-

* This idea will be pursued and developed in the *Theory of Politics*.

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stance, such as England or America, — money is much more keenly, and much more generally pursued, than in societies in which this sentiment is comparatively quiescent.

29. Political power can seldom be attained, except by a great disregard of the pleasures and pains of others; and one of the most common ways of attaining wealth, is, to attain it at the expense of others, by taking from them, by force or fraud, what they have; or by frightening or cheating them into labor for our benefit.

The manifold evils which the desire of political power and the pursuit of wealth lead men to inflict upon their fellow-men, and the entire triumph which these desires obtain so often over the sentiment of benevolence, may well account for all the declamations of moralists against *Ambition* and *Covetousness;* and may enable us to understand why some of them have denounced the love of power, and the love of money, as the roots of all evil.

30. The desire of superiority, however, that sentiment which is, at times, the most dangerous opponent of the sentiment of benevolence, is, at other times, its best and firmest ally; to such an extent, that the Stoics built their system of morals almost wholly upon it.

31. According to the Stoics, the pleasure of superiority is far superior to all other pleasures; the pain of inferiority far greater than all other pains. In fact, these are the only pleasures and pains that deserve to be called such; and no man can be a Stoic whose constitution is not conformable to this idea.

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But as virtue is universally esteemed the highest attribute of human nature, the highest degree of superiority can only be obtained by the highest superiority in virtue. Therefore, the greatest pleasure and the greatest virtue must be coincident.

Such was the reasoning of the Stoics; and although their theory fails entirely to explain the origin and nature of moral distinctions; though it neither assists us to ascertain what actions are virtuous, nor points out the reason why virtue is esteemed the highest of human attributes, yet it evinces a certain insight into the motives of human conduct, and into the origin of that pleasure with which the performance of virtuous actions is attended.

32. We have already pointed out how it happens that virtue is that quality which enjoys the highest esteem among men. To be inferior in that quality inflicts a pain; to be superior in it affords a pleasure; which pain and which pleasure are keen in proportion as the power of moral perception is acute, and the desire of superiority strong. The desire of superiority, however, as to most matters, is satisfied, provided we can attain the level of equality with those about us. Except as to some few things, or some single thing, in which we may esteem ourselves able to excel, it is the pain of inferiority rather than the desire of superiority, that impels us; and it is this same pain of inferiority which is a perpetual and most efficacious spur to the performance of those actions which are esteemed duties. What are called duties the performance of which indicates only an

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ordinary degree of virtue, would not, however, be ordinarily performed, unless the sentiment of benevolence were reinforced by a pain of inferiority at the idea of falling short of others in benevolent acts.

33. It is also true, that almost all great and heroic acts of virtue, especially those which require any sustained and prolonged course of action, are, to a considerable extent, due to the love of superiority. No doubt, for the performance of such actions, a nice perception of the difference between right and wrong, and a warm love of the right, are absolutely necessary; and these cannot exist without a high degree of benevolence. When high acts of virtue consist, as they sometimes do, merely in the sacrifice, the relinquishment of our own good for the benefit of others, a high degree of benevolence may alone suffice for the performance of such acts. But when exertion, and effort, and labor, and struggle are essential towards the production of any great good to others, — and few things are accomplished without exertion, and effort, and labor, and struggle, — benevolence alone will never suffice; it must be reinforced by the desire of superiority, and that in a high degree.

The same sentiment, indeed, which, under the names of the love of power, and the love of money, ambition, covetousness, pride, and vanity, has been denounced by moralists as worthy of detestation and extirpation, and as a plain evidence of human depravity, has, by the greater part of the same moralists, — some of the mystical schools excepted, — under the names of *Self-respect*, *Emulation*, *Shame*,

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Love of Reputation, Love of Fame, Love of Glory been extolled as the nurse and tutor of virtue.

34. And so indeed it is. For what is that exquisite pleasure, which, under the name of the pleasure of virtue, so attracted the fancy of the Platonists, and excited the desires of the Stoics; and which has ever been pointed out as one of the greatest rewards, if not indeed the only and all-sufficient reward, of a virtuous course of conduct? What is it, in a great measure, but a feeling of self-applause, the gratification, in the highest degree, of this same love of superiority? The mere sentiment of benevolence is as much gratified at the sight, or at the thought, of a beneficent act done by others, as though it were done by ourselves. That which gives us an additional and peculiar pleasure when the act is our own, is the consciousness that, in doing it, we have done more than ordinary men would have done, and so have vindicated our title to the possession of a superior degree of the highest human excellence. That feeling, on the other hand, which is called *Remorse*, when it is any thing more than the fear or the apprehension of punishment, that gnawing pain which never dies, and which is the fearful consequence of crime, is but the consciousness, that, however we may succeed in concealing it from the world, we are, in fact, debased, degraded, sunk below the common level. It is sufficiently humiliating to lose the esteem of others; but to lose our own esteem is the most terrible of humiliations.

35. Hence it is that *Reproach* is so powerful a means of impelling to the performance of virtuous

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actions. When we are conscious it is just, it inflicts upon us a pain of inferiority.

36. There is still another way in which the love of superiority concurs in the production of beneficial acts. To confer a benefit upon a man gives us a certain superiority over him. It lays him under an obligation which is stronger in proportion as the benefit conferred is greater. Hence the saying, that it is more blessed to give than to receive; hence it is that men, in whom the sentiment of Self-comparison is strong, submit with the greatest reluctance to ask or to accept a favor; hence it is that the arrogance, or imagined arrogance, with which a favor is conferred, often inflicts such a pain of inferiority, as totally to overpower and extinguish the sentiment of benevolence, and to create a feeling of hatred in its place.

37. That we derive a certain pleasure from contemplating the struggles and distresses of others, is a very old observation. Lucretius repeats it at the commencement of his second book,

> "Suave mari magno turbantibus æquora ventis,
> E terra magnum alterius spectare laborem;"

and he truly adds,

> "Non quia vexari quemquam est jocunda voluptas,
> Sed quibus ipse malis careas, quia cernere suave est."

But, though he alleges the fact, he omits to assign the reason why it is pleasant to see evils, from which we ourselves are free. The reason is, that it affords us a pleasure of superiority. Rochefoucault only pressed this observation a little further, when he uttered that celebrated remark, that we find a certain

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degree of pleasure in the misfortunes even of our best friends; a remark which proves that he had looked much more deeply, than most of those who have criticized him, into the springs of human action.*

38. It is the gratification of this same sentiment of superiority, it is the pleasure of possessing a little dominion of his own, where he can rule, and where he is chief, where he is looked up to, not with affection alone, but with admiration and respect, that has a great deal to do with parental love; which indemnifies every head of a family for the many pains and labors to which he is obliged to submit in providing for the wants of his household; and which gives to parental tenderness no small portion of its warmth and zeal.

A man's children are something that he has produced, or helped to produce. They are living monuments of his power. They are his; and often they are almost the only things which he can claim as his. If they excel, or if he fancies them to excel, in beauty, strength, or talent, or in any other particular, this excellence of theirs is an additional gratification to his love of superiority. Their very weakness and helplessness and continual wants, become sources of pleasure to him, because they enable him to contem-

* The same observation, less epigrammatically expressed, is to be found in Hobbes, *Treatise on Human Nature*, Chap. IX. Hobbes was so struck by the occasional coincidence of the sentiment of Self-comparison with the sentiment of Benevolence, that he denied the existence of the latter sentiment at all, and ascribed all beneficial actions to the former. See the chapter above referred to.

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plate the agreeable contrast of his strength, his helpfulness, his ability to supply their wants. It is chiefly because a man's children are the sources to him of these pleasures, that they become such peculiar objects of his benevolence, and that parents are ordinarily ready, and are held bound, to confer an infinity of benefits upon their children, and to submit to an infinity of pains for their sake.

39. There is one other means of gratifying the desire of superiority, different from all those which have been already pointed out; and that is, by the acquisition of knowledge. Knowledge is power.

There certainly is a pleasure, commonly called the pleasure of novelty, but which is, in fact, a pleasure of admiration, attendant upon new perceptions and conceptions, which makes the whole world so eager after what is new. There is also a pleasure, which may be denominated pleasure of the rational faculty, one of the pleasures of mental activity, which results from perceiving the relation of one thing to another. But the chief ingredient in what is usually called the love or desire of knowledge, is the desire of superiority. Knowledge is power;* and that superiority which the office of a teacher or instructor implies, is often a sufficient inducement to the proclamation of newly discovered truths, or supposed truths, even when hatred and persecution, and unnumbered pains, are certain to be the immediate consequences to the promulgator.

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* "Felix qui potuit rerum cognoscere causas;
Atque metus omnes, et inexorabile fatum,
Subjecit pedibus, strepitumque Acherontis avari."
Virgil, Geor. II. v. 489.

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40. Generally speaking, the love of knowledge leads to the performance of beneficial actions, since all have an interest in the advancement of knowledge. Hence it has ordinarily been reckoned by moralists a good motive of action. When it takes an injurious turn, or one thought to be so, it is stigmatized as *Inquisitiveness*, *Impertinent Curiosity*, or, to use a modern term, *Want of Reverence.*

41. We have thus pointed out the operation of the sentiment of Self-comparison, when acting in opposition to, and conjointly with, the sentiment of Benevolence. But sometimes it acts in conjunction with the sentiment of Malevolence. A superiority over me, against which I struggle in vain, and which seems likely to be permanent — until I become accustomed to it, and lose all hope, and with hope all desire to shake it off — inflicts upon me a pain, which makes me hate him who is the cause of it. The hatred arising from this particular cause is called *Envy.* The feeling with which we regard those who seem likely to obtain a superiority over us, but who have not yet fully succeeded in doing so, is called *Jealousy.* As envy and jealousy often lead us to depreciate, or to injure, those who are particular objects, to the rest of the world, of admiration and love, by reason of some good quality in which they excel; hence these feelings are regarded, in a moral point of view, as among the worst motives of action. All codes of morals, however, make a certain allowance for the force of these feelings; and they justify, in the conduct of rivals towards each other, or pass by, with a slight reproach, many injurious actions,

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which between other parties would be held inexcusable; while many beneficial acts done towards a rival attain a character of extraordinary virtue, called *Magnanimity*, which, but for the circumstance of rivalry, would not have been so regarded.*

CHAPTER III.

OF CERTAIN QUALITIES OR TEMPERAMENTS CALLED VIRTUES BECAUSE THEY ARE ESSENTIAL TO THE PERFORMANCE OF BENEFICIAL ACTIONS.

1. HAVING thus enumerated and separately examined the sentiments, that is to say, the sensibilities to pleasures and pains, which operate to modify the influence of the sentiment of benevolence over human judgment and conduct, we now proceed to enumerate and define certain qualities, which are called virtues, because without them, the highest degree of benevolence will be unproductive in actions beneficial to others. These qualities are included under the head of virtue, because that term is employed to describe the entire impulse, whatever it may be, or however compounded, upon which the performance of beneficial actions depends; and as, without them, beneficial actions cannot be performed, they are naturally included under the term virtue.

* Milton's Satan — as Dryden observes, the true hero of Paradise Lost — is a most splendid personification of the sentiment of Self-comparison in all its manifold operations.

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2. First among these qualities may be mentioned Wisdom, otherwise called Prudence, — though this latter term is generally employed in a much more restricted sense. By wisdom is signified a superior knowledge of relations in general. When employed in reference to morals, it signifies a superior knowledge of the relations between actions and human happiness; or, more generally, a superior knowledge of those relations upon which human happiness depends; without which knowledge it is perfectly evident that the most unlimited benevolence may be productive only of evil. Wisdom depends upon unusual strength of the rational faculty, conjoined with extensive experience. Wisdom, virtue, and understanding have sometimes been confounded together, as though they were one and the same thing; and both that theory of morals which makes virtue to consist in conformity to absolute relations, or the Platonic Theory, and that theory which makes it consist in the pursuit of our own highest happiness, or the Theory of Self-interest well understood, have tended to countenance this confusion.

Let it be observed, however, that on moral questions, questions whether such and such actions will tend to promote the happiness of others, a strong degree of the sentiment of benevolence is absolutely essential to a right judgment; and that all the perspicacity, in the world, if the light of love be wanting, will not prevent us from falling into the most ridiculous errors, — errors which a child may detect.

3. But it is not enough that we desire the good of

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others, and perceive the true means of accomplishing that good. In order to act conformably to that desire and those perceptions, we must have the COURAGE to encounter the pains, which, it is possible or probable our action may bring upon us, and which, the wiser we are, we shall be the more likely to foresee. It often happens that the delights of virtue are only to be won by first encountering a host of pains. The apprehension of future pains, of whatever kind, is a present pain called *Fear:* and a pain which has a vast influence over human conduct. *Moral fear*, that is to say, the fear of moral pain, as it is a great preventive to actions injurious to others, and as it necessarily implies a certain degree of force in the sentiment of benevolence, is esteemed a good quality, a virtue; and so is the *fear of shame*, or that dread of the pain of inferiority, which, as we have just now seen, is essential even to ordinary virtue.* But fear, in general, that is to say, the dread of encountering pain in general, inasmuch as it is almost universally an obstacle in the way of beneficial action, is esteemed a bad quality, a vice. Courage is that constitution of mind which leads men, in pursuit of a pleasure, whether a moral pleasure or any other, to encounter pains; it is that state of mind in which pains of desire triumph over pains of anticipation; and as it is absolutely essential to the performance of many actions beneficial to others, it thence has acquired the character of a virtue.

* "I dare do all that may become a man,
Who dares do more, is none."
Macbeth, Act I. Sc. 7.

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4. It is necessary, however, carefully to distinguish between the moral approbation which we bestow upon courage, — and which never is bestowed except when that quality is contemplated as an aid towards actions beneficial to others; and the admiration with which extraordinary courage is regarded, — a sentiment founded entirely on the fact, that it is extraordinary. The sentiment of admiration may, and often does, operate to modify our moral judgments, — of which some extraordinary instances will presently be pointed out; but admiration and moral approbation, though often confounded together, are, in their nature and origin, totally distinct.

5. But though courage may suffice to induce us to commence a virtuous action, or course of action, in spite of the pains with which that action threatens us, we need FORTITUDE to induce us to persevere, after those pains of apprehension begin to be realized. Courage may owe its origin to ignorance, to thoughtlessness, to folly; and it may fail at the very moment when it most is needed. Fortitude, which consists in persevering endurance, is the only security we can have for the fulfilment of a virtuous intent; and it has accordingly, in a moral point of view, been always ranked as superior to courage.

6. Both Courage and Fortitude may be considered under the twofold aspect of physical courage and physical fortitude, moral courage and moral fortitude. Physical courage and physical fortitude consist in the encounter of such pains as hunger, wounds, and bodily torments ending in death. This quality, among communities constantly engaged in war, and

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when every man is liable to be called upon at any moment to risk his body and his life in the common defence, has, for very obvious reasons, been raised to the highest rank of virtues. Courage among the Romans was virtue *par excellence;* and the same estimate of it has been transmitted, from barbarous and warlike ancestors, to the nations of Modern Europe.

What is called moral courage and moral fortitude, consists in enduring, through the force of the moral sentiment, those numerous pains which spring from the malevolence of others to whom our conduct gives offence; particularly those pains to which we are subject through the sentiment of self-comparison, pains of obloquy, mortification, and disgrace.

7. The sentiment of self-comparison often combines with the sentiment of benevolence to produce physical courage and physical fortitude. Whereas, in cases requiring moral courage and moral fortitude, it often happens that the whole force, or almost the whole force, of that powerful sentiment, then called *false shame*, impels the other way. As moral courage and moral fortitude indicate, in general, a stronger force of moral obligation than physical courage and physical fortitude, they are, on that account, objects of a higher moral approbation; and as they are more rare, they are on, that account, objects also of greater admiration.

8. There is another quality called Constancy, Firmness, Steadiness, Perseverance, closely related to Fortitude, and, indeed, only a modification of it, which is absolutely necessary towards the accom-

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plishment of any thing that requires continuous exertions. This quality results from the continuous predominancy of certain pains and desires, and an ability to bear certain pains without yielding to them. It depends partly on temperament or constitution, including the state of health, and partly on position. *Temper* or *Self-control* falls under this head. What is called *Patience*, is sometimes this quality, and is sometimes fortitude, properly so called, or a mixture of both. *Faithfulness* or *Fidelity*, is one particular modification of constancy.

9. But all these means for the production of virtuous actions must fail to be effectual, unless there be added to them a certain HOPEFULNESS, otherwise called CONFIDENCE, and, by some recent writers, FAITH; that is to say, a certain persuasion that we shall be able to accomplish the beneficial objects at which we aim. To point out the origin, nature, and modifications of this Hopefulness, or Faith, would lead us into some curious and important inquiries, which, however, would be foreign to the immediate objects of this Treatise. This Hopefulness or Faith, being essential to actions beneficial to others, is esteemed a virtue, and the want of it is stigmatized as a vice, under the names of *Doubtfulness*, *Despondency*, *Skepticism*. Doubt is painful in itself; it produces a pain of inferiority, and is shunned on that account. Confidence, or Faith, is in itself a pleasurable feeling, a pleasure of certainty, a pleasure of superiority, and on that account is sought and desired. Hopefulness is often carried to a degree which leads to absurd and impracticable enterprises, and makes

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us exhaust our energies to no purpose. It is then no longer a virtue, but a vice, and is stigmatized as blind, irrational *Folly* and *Credulity*. A rational confidence is commonly implied in the use of the word, Wisdom.

10. But Benevolence, though seconded by all the qualities heretofore enumerated, must still fail to be productive in virtuous acts, unless there be added to it a certain degree of ACTIVITY, or inclination to act. Activity is of two sorts, muscular and mental, each head embracing many varieties. It depends upon the relative force of the pleasures of activity, through which men find a certain enjoyment in action independent of any of its other consequences either to themselves or others, and of the pains of activity, — those pains which flow from every kind of action, when continued beyond a period greater or less. All this depends very much upon the state of the body as regards sickness or health; and to a certain degree, also, on original temperament; but much more upon habit. That degree of exertion which gives pleasure to a man in health accustomed to it, is absolutely intolerable to a sick man, or to one unaccustomed to it.

The influence of bodily health upon moral character is a most important matter, which of late years is beginning to attract the attention it deserves. It affects, to a greater or less degree, all our capacities of pain and pleasure; and so influences our whole course of conduct.

Activity is so essential to virtuous actions, that the want of it, under the names of *Sloth*, *Indolence*,

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Idleness, has been stigmatized as a vice, the parent of all the other vices; while activity, under the name of *Industry*, has been commended as the nurse of all the virtues.

11. But Benevolence, Wisdom, Courage, Fortitude, Constancy, Hopefulness, and disposition to act, all combined, are yet of no avail to produce actions beneficial to others, without Strength, Capacity, or Ability to act. Mental ability is indeed included and implied in Wisdom. But even bodily strength was reckoned a virtue by the ancients; and all codes of morals enjoin the duty of preserving one's health; a duty which owes its origin in part to the fact, that a certain degree of health is essential to ability bodily or mental, and that a certain degree of bodily and mental ability is essential to action of any kind, and of course to virtuous action. The duty of preserving one's health depends also in part upon the fact, that ill health, by exposing us to the constant influence of certain bodily pains, tends thereby to diminish the force of the sentiment of benevolence.

12. But let it always be borne in mind, that all the preceding qualities, Wisdom, Courage, Fortitude, Constancy, Hopefulness, Activity, and Ability, only attain the character of virtues, by reason of a certain degree of benevolence, which is supposed to be joined with them. When any of these qualities exist, unattended by the ordinary force of the sentiment of Benevolence, they are no longer virtues, but vices. They are then called *Craft*,* *Audacity*, *In-*

* Wisdom and Craft were originally used indifferently, to indicate a superior degree of knowledge and sagacity. Wisdom is now re-

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sensibility, *Obstinacy*, *Credulity*, *Restlessness*, *Brute force*. These qualities, therefore, in point of fact, are, in their own nature, morally indifferent; and they only come to be considered as morally good or morally bad, that is, to assume the character of Virtues, or Vices, accordingly as, being conjoined with, or dissevered from, the sentiment of benevolence, they operate towards the production of beneficial or injurious actions.

CHAPTER IV.

DEFINITIONS OF VIRTUE.

1. We may now be able to understand why all attempts hitherto made to give a definition of Virtue have failed. Those attempts have proceeded upon the supposition, that what is meant by the word Virtue is a simple, identical thing. Whereas, under that term, in its more general sense, is included all that part of human nature which coöperates in impelling and enabling men to perform actions beneficial to others; first, the pains and pleasures of benevolence; secondly, certain impulses of the pains and pleasures of self-comparison; thirdly, those pains and pleasures of anticipation included under the heads of the fear of punishment and the hope of

stricted to signify knowledge and sagacity employed for good ends, while Craft is employed to designate knowledge and capacity employed for bad ends.

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reward; and fourthly, all those temperaments indicated by the epithets Wisdom, Courage, Fortitude, Constancy, Hopefulness, Activity, and Ability.*

2. The term, Virtue, however, is most commonly used in a somewhat more limited sense; *including only those impulses — part of them impulses of benevolence, and part impulses of the sentiment of self-comparison — whereby men are induced to confer benefits upon others, without the expectation of any reward beyond that which arises from the consciousness of having conferred them.* This last is the proper moral sense of the word Virtue; and actions having this origin are called *Disinterested Actions.*

3. The forensic supporters of the disinterested theory of morals, seizing upon the pains and pleasures of benevolence, and totally disregarding all the other sources of beneficial actions, defined virtue to be, Benevolence, or the Love of Man; while the mystical supporters of that theory, looking to a personal deity as the true and exclusive object of the sentiment of benevolence, defined virtue to be, Love of God. Both agree in declaring that Virtue and Disinterestedness are synonymous terms; a proposition generally so interpreted by those who have laid it down, as to make virtue consist in perpetual self-sacrifice; a thing which all men admire, and which a few may attempt; which, as to isolated acts, may be, and constantly is, accomplished; but which, regarded as the sole rule of life, is utterly impracticable.

* In its most general sense, Virtue signifies the power of giving pleasure. Thus we speak of the virtues of minerals and herbs. When applied to man, however, its most general sense is that above stated.

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4. The Stoics, directing their attention exclusively to the remarkable influence of the sentiment of self-comparison, in producing beneficial actions, defined virtue to be Greatness of Mind, superiority to vulgar pains and vulgar pleasures. This definition, like that of the self-sacrificing moralists, made virtue either wholly impracticable, or practicable only for a few.

5. The Epicureans, Hobbists, and those mystic doctors who adopted the selfish theory of morals, wishing to bring Virtue within the reach of the multitude, and perceiving the influence of punishments and rewards in producing beneficial actions, seized upon that as the essence of Virtue, which they declared to consist in the pursuit of our own highest happiness. Descending to particulars, Hobbes maintained that doing right consisted merely in obedience to the civil magistrate. For, according to him, peace, which is the greatest of blessings, and absolutely essential to the happiness and even the existence, of man, can only be secured by entire submission and implicit obedience to existing authority; whence political obedience becomes the great duty of man, including every other. The mystics of this school, as they referred all events to the will of God, held that happiness could only be attained by securing God's favor, and they consequently declared that Virtue consisted not in political but in religious obedience, in fear of God, perfect submission to his commands, and total devotion to his will.*

* The modern sect of Non-resistants, starting with the same adoration of *peace*, as the great panacea of all evils, which Hobbes enter-

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The more exigent of the mystic doctors, and those who applied most thoroughly to the Deity the theory of pure selfishness, were soon led to perceive the total impracticability, as men are naturally constituted, of any such perfect obedience on the part of man, as pure selfishness on the part of the Deity would oblige him to require. They taught, in consequence, that to the natural man Virtue is impossible; that by nature men are totally depraved; and that goodness can only be implanted in the heart by a special interposition of divine power, vouchsafed only to an elect few. Thus, again, the partisans of this school closed that broad door which the selfish theory had opened to all men, and, like the Stoics and the partisans of self-sacrifice, again made Virtue possible only to a select few. It is this appeal to the love of superiority, which has tended to secure for all these exclusive theories a certain number of followers, who delight themselves with the idea, that they alone are capable of Virtue, and that all other men are naught.

Helvetius and Bentham, the advocates of interest well understood, and of the greatest happiness of the greatest number, made an ingenious but desperate attempt to amalgamate together the doctrines of pure selfishness and entire self-sacrifice. When pushed

tained, have differed from him in substituting a passive non-resistance in place of that active obedience which he inculcated. In this point they agree with Grotius, whose love of peace made him an advocate for that absolute power by which he himself suffered so much. They differ, too, from Hobbes in this, that, with all the merit which they ascribe to non-resistance, they do not make it the sole virtue; and so far from thinking government the foundation of morals, they denounce all government as wrong.

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to extremity, they are driven into the paradox, that pure selfishness may require of us the entire sacrifice of ourselves for the benefit of others.

6. The Platonists, ancient and modern, perceiving that every moral judgment includes the perception of a certain relation between acts done, and the consequences of those acts to the happiness of others and ourselves, vaguely define Virtue to consist in conformity to absolute relations, that is, the absolute nature of things; a definition easy to repeat, but more difficult to understand, and far more comprehensive than the thing which it attempts to define.

7. Aristotle, and his followers, brought this definition down from the clouds, and gave it a subjective character and a practical application. They defined Virtue to consist in conformity to the nature of man; a habit of mediocrity according to right reason. We have shown, in another place,* that this definition includes only ordinary virtue. It has, however, the advantage, like the definition given by the forensic partisans of the selfish theory, of making Virtue a thing possible for all men.

8. All the above definitions are true to a certain extent. Except the Platonic, they fail in not being sufficiently comprehensive; they fall into the common error of mistaking a part for the whole. The Platonic definition has the opposite fault of including too much.

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* See Chap. I. § 71, note.

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CHAPTER V.

OF MORAL OBLIGATION, DUTY, RIGHTS, RESPONSIBILITY, MERIT, DEMERIT, PUNISHMENTS, AND REWARDS.

1. THE preceding investigations have prepared us to understand the origin and application of the terms *Moral Obligation*, *Duty*, *Rights*, *Responsibility*, *Merit*, *Demerit*, *Punishments*, and *Rewards*, terms which have given rise to infinite disputes among philosophers, and which stand for notions that have never yet been thoroughly analyzed, and fully explained.

2. *Moral Obligation* is that which binds, compels, or obliges men to do certain moral acts, that is, certain acts beneficial to others. It receives the name by way of analogy to physical obligation, as when a man is bound by a rope, and dragged along by some external force. All the terms employed in describing mental operations originate in similar analogies. Moral obligation differs, however, from physical compulsion, in the circumstance, that the force described by it is not an external, but an internal force, to wit, the force of the sentiment of benevolence, modified by the force of the other sentiments above pointed out as coöperating with it in the production of disinterested beneficial actions; in other words, the force of Moral Sentiment; by which phrase the compound force that impels to the performance of disinterested beneficial actions, is commonly described. Whatever a man does by the force of moral obliga-

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tion, or in other words, by the impulse of Moral Sentiment, he does voluntarily and spontaneously, from the inward force of moral motives determining his action.

3. Mental compulsion consists in presenting to a man, as inducements to do a certain act, certain pleasures and certain pains, such as, according to the average operation of human motives, will prevail upon him to do that act; such motives, so presented, in ordinary cases, creating a mental necessity of so acting.

The phrases *Mental Compulsion* and *Mental Necessity* are here used instead of the common phrase *Moral Necessity*, in order to avoid the ambiguity which arises from employing the epithet Moral in two different senses. *Moral Obligation* designates only that necessity of acting, which arises from the force of the moral sentiment; whereas *Moral Necessity* is used in opposition to *Physical Necessity*, to signify that necessity of acting which arises from the force of any, or all the sentiments. These two different uses of the same word, in immediate juxtaposition, lead to unavoidable confusion. Both uses of the word, however, are justified by its original sense; and, indeed, the one is only a limitation of the other. Moral is customary; moral necessity is customary necessity; moral obligation is that customary necessity which impels men to do disinterested beneficial actions. The first use of the word implies all customary methods of acting; the second use of it is limited to one particular kind of customary acts. Some writers, to avoid the ambiguity

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here pointed out, have employed the phrase, *philosophical necessity*, but the term, *mental necessity*, seems preferable.

4. It is perfectly evident that all actions of whatever kind must originate in mental necessity.* Human actions, like other natural phenomena, are governed by certain natural laws; and in accordance with those laws, a certain preponderating force of motives being given, a certain course of action must of necessity follow; indeed, without such necessity, there would and could be no action at all.

5. Now so far as the motives upon which disinterested actions beneficial to others depend, or what is called Moral Sentiment, operate, in general, upon human conduct, such and no other, is the extent and force of moral obligation in general.

6. In any given community, the average force of the motives, which produce disinterested actions beneficial to others, will fix the standard of moral obligation in that community.

7. As regards particular individuals, the standard of moral obligation as respects them will depend upon the force over their individual conduct, of Moral Sentiment, as compared with the force of the other sentiments; and of course it will be very different in different individuals. One man will find himself morally obliged, bound, and compelled to do many things, which another finds himself under no necessity of doing at all.

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* All metaphysicians of the slightest reputation, ancient or modern, have agreed upon this point, — almost the only one upon which they have agreed. ! ! !

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8. Those actions which in any given community the average force of moral obligation produces, are held in that community to be *Duties*, which all men are expected, and are esteemed *bound*, to perform, because all men are expected to have an average share of moral sentiment; and for the fulfilment of that expectation which they raise by the very fact of having the form of men, they are held answerable.

9. Correlative to every duty, there is a *Right* on the part of those individuals towards whom the duty ought to be performed.

10. The non-fulfilment of this expectation, the non-performance of duties, indicates *Demerit:* that is to say, a want of ordinary benevolence; or a more than ordinary deficiency of those qualities which coöperate with benevolence to produce actions beneficial to others, or both. This deficiency causes the delinquent party to be pronounced vicious; and presents him to us as an object of distrust and dislike, as one who may probably inflict injuries upon us individually, and as certain to inflict moral pain upon us, by inflicting injuries upon others.

11. Thus the non-performance of duties produces in us a sentiment of moral pain, to which, in reference to the party causing it, we give the name of *Disapprobation;* and in consequence of that pain, there is excited in us a sentiment of malevolence towards the delinquent party, whereby the infliction of injuries upon him, in return for the injuries he has inflicted upon others, assumes the character of *Punishment;* which, so long as it does not exceed a cer-

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tain limit, gives us not only a pleasure of malevolence, but a moral pleasure also. What that limit may be, depends upon a variety of circumstances; partly upon the force and direction of the sentiment of benevolence; and partly upon the judgment we may form as to the likelihood that the punishment will reform the guilty person, or otherwise deter him, or others, from future like breaches of duty.

12. It must, however, be observed that when the injurious act becomes extraordinary, so as to imply an extraordinary degree of sagacity, address, courage, fortitude, firmness, or ability, there at once arises a pleasurable sentiment of admiration, which, unless it be overpowered by fear that this extraordinary capacity may be employed for our own individual injury, goes a great way to neutralize the pain of moral disapprobation, and makes us proportionably much more indulgent to great villains than to small ones; an anomaly which moralists, hitherto, have been very much puzzled to explain. When the object of moral disapprobation displays, at the same time, a general littleness of understanding and capacity, he becomes thereby an object not only of disapprobation, but also of contempt, — a painful sensation in itself, and an additional cause of malevolence; which explains the greater proportional acrimony felt against little villanies.

13. When a man goes beyond the limit of mere duty, and performs actions beneficial to others which are not expected of him, because men in general, in his situation, do not perform them, he is presented to us in a pleasurable light, and becomes an object

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of moral approbation. We see in him the probable cause of extraordinary pleasures to ourselves, exclusive of moral pleasure; and the certain cause of moral pleasure by reason of beneficial actions done to others; and the stronger our sentiment of benevolence is, the greater will be the delight which such a man will cause us; in other words, the stronger will be our feeling of approbation. As such a man causes us pleasure, he becomes thereby peculiarly an object of our benevolence; and the more extraordinary his virtue is, and the more extraordinary are the acts which it prompts him to perform, in the same proportion is our benevolence towards him augmented by the addition of a pleasure of admiration. This in the object is what is called *Merit* or *Desert;* such a man is *meritorious* or *deserving;* in other words we are under a mental necessity of admiring and loving him; and not to do so, would imply a deficiency in us, of the ordinary force of moral sentiment. Merit, in a general sense, is any thing which tends to augment our benevolence towards a man, and to render him peculiarly an object of our regard; that is to say, any qualities he may have, which are the causes of pleasure to us. But in moral disquisitions, this word is employed exclusively to signify those qualities which make men objects of moral approbation.

14. Whenever the augmented benevolence caused by merit exists, we are impelled by the force of moral obligation to confer benefits upon the object of it; which benefits bear the name of *Rewards.* That vice *ought* to be punished, that virtue *ought* to be re-

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warded, that duty *ought* to be performed, — these are but phrases for indicating that force of moral obligation which makes an ordinary part of human nature, and which, if not counteracted by the force of other motives, always will determine human conduct.

15. The mystic hypothesis has involved all this subject of moral obligation, duty, merit, responsibility, punishments and rewards in entangled contradictions from which the adherents of that hypothesis have found it impossible to escape; a confusion which has given birth to unnumbered volumes of abstruse, but barren and inconclusive controversy, and has caused mental and moral philosophy, under the name of theological metaphysics, to be regarded as a fruitless and tantalizing study, leading to nothing but pains of doubt, and fit to form part of the punishment of the damned.*

16. Instead of looking upon man, such as, in fact, he presents himself to us, as a being possessing in himself an original spontaneous power of action, operating according to uniform laws, the Mystics, relying upon analogies already pointed out, regard man as a machine, a *creature*, the handiwork of a personal, mechanical God, dependent upon his constructor for all the powers of action which he pos-

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* "Others apart, sat on a hill retired,
In thoughts more elevate, and reasoned high,
Of providence, foreknowledge, will, and fate,
Fixed fate, free will, foreknowledge absolute,
And found no end in wandering mazes lost."
Paradise Lost, Book II. v. 588.

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sesses; just as men make puppets, and move them by inserting a spring, or pulling a wire.

These same analogies lead straight to the conclusion, that the apparent acts of men are, in fact, not their acts, but the acts of him who made men, and by whose perpetual sustaining energy, men exist and act. But as all the acts of God are of necessity assumed to be right, he himself, by the mystic hypothesis, being the very cause and substance of all things, and of right among the rest, therefore all acts performed by God through the agency of men, are right; whatever is, is right; all human acts are right; and the idea that there is or can be, any such thing as wrong or evil in that universe which the all perfect and omnipotent God makes and sustains is an impious delusion.*

This paradox, — the obvious and unavoidable consequence of the mystic hypothesis when fairly carried out, — this denial of all difference between good and evil, right and wrong, is so abhorrent to common sense and moral sentiment, that of all European mystics, Spinosa alone has had the candor to admit, and the courage to embrace it. The rest, un-

* Such is the substance of many Oriental, Gnostic creeds. Several texts of the Jewish and Christian scriptures appear to teach this doctrine. Malebranche, though he rejected the consequences, yet held to the principle; and Leibnitz did but repeat the same thing under a new form of words, in his theory of "the best of all possible worlds." The same doctrine may be found elegantly stated and argued by the joint labors of Pope and Bolingbroke, in the first epistle of the Essay on Man; and it passes current among many who are familiar neither with poets nor metaphysicians, under the familiar pious exclamation, "All 's for the best!"

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willing to accept the logical results of their own hypothesis, and notwithstanding those results, unwilling to abandon it, have long and vainly struggled to explain the existence of evil, and to find out some basis, consistent with the mystic hypothesis, on which duty and responsibility might be made to rest.

17. There is no part of the history of opinions more curious or remarkable, than the celebrated and protracted controversy, to which these attempts have given rise; and which, under various names, Pelagian, Semi-Pelagian, Molinist, Arminian, Jansenist, Socinian, Rationalist, Universalist, so long divided, and still divides, the Christian world. This vast dispute, which seems, at first sight, a hopelessly inextricable wilderness of metaphysical subtleties, admits of being looked at from three distinct points of view, seen from which it assumes a certain degree of order, and becomes capable of being comprehended and understood.

18. In its first aspect, it is a controversy as to the origin of human action between those thorough and consistent adherents of the mystic hypothesis who explain all the phenomena of the universe, and human action among the rest, as immediate results of God's volitions, and those various sects of Semi-mystics, who, following the philosophers, have gradually more and more introduced into the theory of the universe, and of human nature as a part of it, in place of God's volitions, fixed, uniform, natural laws, and the spontaneity of man as one of those laws.

Thus, one party, in logical conformity to the mystic

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hypothesis, holding God to be the sole source and only efficient cause of all action, and regarding man as a mere puppet, peremptorily deny that man possesses any *freedom of will*, or, properly speaking, any will at all, for the very idea of will implies freedom. In place of spontaneity they substitute fate, predestination, fore-ordination, or what Leibnitz called preëstablished harmony. It is not man who acts, but God who acts by him, and in him.

The theologians who maintained this view, made it the foundation of the celebrated doctrine of man's inability, the doctrine, that is, that man, in himself, is totally incapable of any good act, any good he may do being regarded as the act of God working in him, — they denied the existence or possibility of any such thing as human merit, and represented good works as of no avail whatever towards pleasing or propitiating God — or rather so far as man alone is concerned, they held good works to be non-existent, and impossible; they taught the doctrine of salvation by grace alone, meaning by grace, special, undeserved favor extended to an elect few.* The

* Such was the doctrine of St. Austin, St. Thomas Aquinas, Luther, Calvin, Knox, Arnauld, Pascal, and of many other celebrated theologians. This doctrine was embodied in all the early Protestant symbols, and became, in fact, the basis of the reformation, the great point of controversy between the early Protestants and the Church of Rome. It is little wonderful, that, after the first burst of the reformation was over, the Catholics began to regain their lost ground, and came near extinguishing the Protestant religion. From the turn the controversy took, the Catholics had not only superstition, tradition, authority, and custom on their side, but common sense, and common humanity also. The doctrine of salvation by grace alone still remains, *verbally*, the orthodox creed of most of the Protestant churches. But the spirit long ago departed.

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slightest regard to consistency would have required them to admit, what, however, they strenuously rejected, that, if there be no such thing as human merit, then human demerit is equally a chimera; and the notions of duty, responsibility, and punishment quite as unfounded as that of reward.

19. Perceiving that the pure mystic hypothesis is totally inconsistent with man's moral nature, the Semi-mystics attempted to escape, or rather to cover up, this inconsistency, by gradually introducing into their theological creeds the philosophical idea of the spontaneity of man. They began with maintaining, that, although the human will be quite incapable of producing any good act without the prompting, exciting, coöperating efficacy of divine grace, yet still the performance of a good act does imply a certain spontaneous effort on the part of man. Having once admitted the idea of this spontaneity, as a necessary foundation on which to rest duty, merit, and demerit, they have been compelled, for the same reasons, more and more to bring it forward, as the sole origin of human action; till, so far as relates to human action, they have substantially abandoned, though they may still verbally retain, the mystic hypothesis, exalting works till they have annihilated grace. They have thus succeeded in making their theology consistent with moral sentiment; but they have so succeeded only by rejecting the very fundamental proposition of theology; so that, in point of consistency, they have as little to boast as their opponents.*

* The pure mystic hypothesis, notwithstanding its total inconsistency with human nature, is so short a cut to the explanation of

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20. The second and third aspects of this great theological controversy have a very intimate relation to the first, and to each other. They embrace the questions of the moral characters respectively of God and of man. But as men necessarily make God after their own image, the moral character which they ascribe to God is necessarily dependent upon their ideas of the moral character of man. Hence the second and third aspects of this controversy do but present the dispute respecting the origin, nature, or law, of moral dis-

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all things, and so well suited to excite and gratify the sentiment of admiration, that it has always been a great favorite with cloistered and closet theorists. Hence those pantheistic systems, ancient and modern, Oriental and Occidental, constantly reproduced under slight changes of expression, which confound God and nature, and reduce every thing to unity and infinity. Nothing, say the mystics, exists absolutely but God. It follows that all apparent existences are but manifestations of God, God under special forms. This appears to be substantially the doctrine of Schelling, at present patronized by the king of Prussia and by the conservative politicians and orthodox theologians of his dominions.

But even into closets and cloisters philosophical ideas will creep. From the united idea of God and nature, if the absolute existence of nature be expunged, why not also the absolute existence of God? Pushing the subjective doctrine to extremes, these pantheistic theorists arrive at the conclusion, that nothing exists absolutely, — that both God and nature are but conceptive emanations from the intelligent, conscious I. Such, in substance, appears to be the doctrine of Fichte, carried out by Hegel, and at present so popular with the liberal party of Germany. The doctrine of Schelling, as it reduces the individual almost or quite to nothing, is naturally patronized by kings. The other doctrine, which makes the individual every thing, is naturally more agreeable to subjects. Such is the political condition of Germany, that its thinkers are obliged to discuss the most important practical questions under vague, mystic, abstract, almost unintelligible forms. It is childish for those not subject to the same necessity, to affect the same disguise, which none can wear without danger of deceiving others, if not themselves.

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tinctions, transferred from morals to theology; and we may arrange the whole body of the disputants into three great schools, according to the theory of morals which they respectively adopt.

21. The partisans of the selfish theory of morals, among whom must be reckoned most of those who deny the freedom of the human will, framing their image of God in consistence to that theory, taught that God created man solely to promote his own pleasure and glory. Having made man for that purpose, God expects and demands its fulfilment. It is men's duty to satisfy that expectation, to comply with that demand. Such as do not fulfil and comply, become, in consequence, chargeable with demerit, the proper objects of God's wrath — commonly disguised under the epithet of justice; and deserve, and will receive, on account of their disobedience and rebellion, misery here and eternal damnation hereafter.

Such was the foundation upon which these doctors attempted to rest the idea of duty, responsibility, and punishment. But they still rejected the notion of merit, or reward. For as man's utmost efforts cannot go beyond the fulfilment of his bare duty, which requires that every thought, word, and deed should be devoted to God's glory and pleasure, therefore, even in perfect obedience there can be no such thing as merit; and if God choose to confer any benefits, here or hereafter, upon any number of men, large or small, it is not a right of theirs; it is not a reward; but free grace and pure gratuity, demanding of the favored the most devout gratitude.

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But is man naturally capable either of obedience or of gratitude? Here intervenes the question as to the moral character of man; a matter as to which this theory seems at total variance with itself; for If men were created by God to promote his pleasure, are we not justified in concluding that they do promote his pleasure? Are we to suppose that God failed in accomplishing the end at which he aimed? If he has accomplished it, must not every thing men do be right in his eyes? So far as he is concerned, can there be any such thing as demerit, or any justice in punishment?

To escape that negative answer to these interrogations which their theoretical theology imperatively demanded, and to account for that universal state of rebellion against God, which, according to these theologians, actually prevails among men, they fled from metaphysic to Scripture, and, abandoning argument, required us to believe, on authority, in direct contradiction to their own arguments, that God, for his own glory, in order to make manifest his infinite grace, though he made the first human pair pure, holy, *free*, and capable of perfect obedience to his will, yet suffered them to be seduced by the Devil — who, in this seduction, is represented sometimes as the instrument and servant of God, and at others, as an independent, or almost independent, power, the malignant enemy of man, the prince of this world, having more influence over its affairs than even the Deity himself, — in consequence of which seduction, the first human pair, and their posterity to the end of time, lost their freedom of will, fell from their

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original pure and holy state, became totally depraved, and incapable, and not only incapable, but positively disinclined to fulfil the object of their creation; so that, instead of doing God's pleasure, all men, except an elected and predestined few, who, by the influence of irresistible grace, undergo a miraculous change of heart, are constantly employed, and find a pleasure, in inflicting pain upon God. They hate God; and so, in their turn, are proper objects of his hatred; and, except the elect, who are saved not by any merit of their own, but out of mère grace, will be justly damned to all eternity. So great, indeed, has the demerit of man thus become, that it was only by assuming a human shape, and, as Jesus, dying himself upon the cross, that God has so far satisfied his own infinite justice, as to be able, out of pure grace, to save some few.

Thus was derived corroboration from Scripture to the scholastic doctrine of salvation by grace alone; and also to the doctrine of the mere uselessness and inefficacy, theologically considered, of good works. Indeed these theologians held, that what might seem to be good works, in the unregenerate non-elect, were a mere delusion; that really good works could be performed only by the elect. But even in them they were a sign, not a means; since resulting from irresistible grace, they implied no merit; the only merit being the merit of God, voluntarily dying, as Jesus, on the cross.

22. All who had not made a total sacrifice of reason on the altar of faith; even those who, though sacrificing reason, felt benevolence active in their

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hearts, started back, the rational with incredulity, the benevolent with horror, from a doctrine highly gratifying, no doubt, to the sentiment of self-comparison, in the self-complacent few, who believe themselves the precious elect, alone capable of goodness here or happiness hereafter, and calculated to produce in such an enraptured exhilaration; but a horrible doctrine indeed for the doubting and the timid, to whom it presents the Deity as an object not of hope and love, but of terror and aversion, and whom, under this image of him, as if to give corroboration to the doctrine, they find themselves compelled to hate.

These and those who spoke for them protested against this representation of the divine character as false and impious; and the idea of the Deity has been variously remodelled by a variety of sects, who, framing their image of God according to their several views of the nature of virtue, have given to the attribute of benevolence a greater or less extension.

In admitting the salvation of any, however few the number, those who made the doctrine of pure selfishness the basis of their theology, yielded to their opponents an irrecoverable advantage. The very idea of grace, which is only another word for benevolence, is inconsistent with the doctrine of pure selfishness; and the notion of grace once admitted, why limit it to a few, why not extend it to all? For to say that God's sacrifice of himself is not sufficient to atone for the sins of all, is to exalt the attribute of infinite justice above that of infinite power.

But is it necessary to rest the salvation of men

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upon grace alone? Supposing God to possess the attribute of benevolence, will not that attribute oblige him to acknowledge and to recompense the services of men? Is he not under the same moral obligation to reward obedience, that men are under to obey? Is there any justice in making men incapable, and then punishing them for being so? The answer to these questions gave a strong support to the doctrine of free-will, human ability, and the efficacy and necessity of good works.

But the advocates of these doctrines rested their cause not upon metaphysical arguments only, or appeals to the moral sentiment. They cited authority as well as their opponents. They found support to their opinions in ancient and current ideas of the Deity, ideas which, equally with those of their opponents, were embodied in acknowledged Scriptures; ideas which assumed the existence of the sentiment of benevolence both in God and man, and framed the whole system of religious worship upon that foundation; a system of praises, songs, processions, festivals, and offerings, having for their object to stimulate the divine benevolence through the sentiment of self-comparison; and of prayers, supplications, fasts, penances, and self-tortures, intended to excite the divine pity.

Upon this joint basis of argument and authority rests the Romish doctrine of indulgences, — the church, through its ministers, being supposed to be the trustee and authorized vender of the supererogatory merits of Christ and the saints; and upon this same basis rest the doctrines of absolution,

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pardon upon repentance, universal grace, the saving efficacy of good works, the possibility and the certainty of the salvation of all who desire it and strive for it, and ultimately, the doctrine of the salvation and eternal happiness of all.

We ought to recollect, however, that the term, *good works*, has commonly been used by theologians, not so much in a forensic, as in a mystic sense. They have chiefly intended by it, acts of worship, and acts beneficial to the priesthood; while acts of duty to our fellow-men have been with difficulty admitted as entitled to that character, and placed, as it were contemptuously, at the very bottom of the scale.*

23. There has always, however, existed an opinion, more or less diffused among all nations which have made any considerable advance in civilization, an opinion maintained by many pure mystics, which has given rise to a third theological school, the opinion, namely, that the only effectual way to please God is, doing good to man. This opinion, like those of the other two theological schools already described, rests partly upon metaphysical considerations, and partly upon authority; for there

* "Merit is of three kinds, 1. *Thala*, or the observance of all moral duties. 2. *Dana*, or giving of alms, including feeding priests, building pagodas, and works of public beneficence. 3. *Bawana*, or repeating prayers and reading religious books. *The last infinitely the most meritorious.*" Summary and analysis of the Bhoodist doctrines in Malcolm's "Travels in South Eastern Asia," Vol. I. Part 2, ch. 6. We may trace here, as upon so many other points, a most remarkable, and as yet unexplored analogy between Bhoodist and Christian ideas.

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are a few passages in the Jewish scriptures, and a great number in the New Testament, which seem directly to teach it. Notwithstanding this authority in its favor, it isdecidedly heterodox; and has been condemned over and over again, by the highest ecclesiastical authorities, as atheistical and damnable, leading inevitably to the conclusion that churches, priests, worship, scripture, and revelation are unnecessary; * and that mere human virtue is sufficient for salvation. Still it has contrived to insinuate itself, to a greater or less extent, into many creeds and many treatises nominally orthodox; and notwithstanding all the opposing efforts of all the other mystic and semi-mystic sects, it is at the present moment rapidly diffusing itself. This is the theological creed of those who hold the disinterested theory of morals; it results from moulding the idea of God, and of man's relation to God, into consistency

* As respects the necessity of churches, priests, and worship, the opposite doctrine of salvation by grace and faith alone, logically carried out, leads precisely to the same results. It was in fact this doctrine of Luther which gave the first impulse to the Reformation. That reformation consisted principally in an attack upon forms. And here we may perceive another cause of the sudden check given to Protestantism, and of the counter-revolution in so many countries in favor of Catholicism. Not only was this fundamental doctrine of Protestantism abhorrent to the common sense and common humanity of the laity, but the Reformed clergy presently found that their doctrine in the hands of the Anabaptists would lead to the total abolition of the priesthood. They, therefore, themselves turned round, and undertook to refute, or at least to evade and set aside the very doctrine, and to repress the very spirit, in which the Reformation had originated. Assailed by Catholics on one side and by Protestants on the other, no wonder that the Reformation came to a stop, and almost to an end.

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with that theory. The partisans of this theology, especially that division of them which has been led to adopt ascetic notions and practices, have commonly been distinguished as *Mystics*, — a word which we use in a much larger sense. They are also called *Theosophists*, — a denomination, however, which also embraces those partisans of the first school of theology, who, like Spinoza and others, have refused to modify and contradict their metaphysical notions of the Deity, out of respect to scripture, tradition, and the common sense and current sentiment of mankind.

The creed of this third theological school may be thus briefly stated.

Inasmuch as the Deity possesses in an infinite degree, all good qualities, joined to infinite power, he is, therefore, the natural and proper object of our highest admiration. Possessing the sentiment of benevolence in the highest degree, he becomes in consequence the necessary object of our highest moral approbation. As he is the author of all the blessings we enjoy, he is entitled to our highest gratitude. Nothing is said about the miseries we suffer; or, if mentioned, it is insisted that they are only blessings in disguise.* Thus admiration, approbation, and gratitude combine in the highest degree to render God the object of our highest love; and, therefore,

* See Parnell's beautiful poem, "The Hermit." This doctrine, however, pushed to its logical consequences, will go the whole length of denying any distinction between good and evil, right and wrong. This paradox is common to all theosophistic creeds; and is the unavoidable result of the pure mystic hypothesis, under all its forms.

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love to God ought to be the guiding motive of our conduct, and it would be, but for the selfishness of man, and his constant subjection to the temptations of the senses, whereby his attention is withdrawn from God, God's image is erased from his heart, and for all practical purposes he becomes an atheist. He does not hate God, that is impossible; he forgets him.

At this point the partisans of this theory separate and diverge. One division, following a path which we shall presently indicate,* runs into all the extravagances, first, of the most passive quietism, and afterwards of the most ultra asceticism, — doctrines which they support by several strong texts of scripture. The other, and of late the prevailing party, proceeds to argue, that since men act as they do, in consequence of the nature which God has given them, it is absurd to suppose that his malevolence can be excited by their acts. Extolling the attribute of benevolence, they are gradually led on to deny, that malevolence, or the disposition to inflict pain, — what other theologians denominate justice, — can be an attribute of the divine nature, — a denial, which, taking it for granted that God is the author of the universe, puts them to their wit's end to account for the origin of evil, that is, of pain and suffering, and drives them at last into the paradox, that there is no such thing as evil, that every thing is good.†

* *Vide* Part II. ch. 6, § 4.

† It is the perception that what a good God created must have been created good, that has led theologians to represent the original state of man as one of purity and innocence. The history of the fall is an

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For as benevolence is the highest and noblest attribute of which we can conceive; as malevolence and self-comparison are apparently its opposites, leading, the one directly, the other indirectly, to the infliction of pains, and, according to the moral theory of pure benevolence, the greatest obstacles to moral goodness; as the infinite power ascribed to God does not allow us to suppose him to labor under the embarrassment to which men are constantly subjected of not being able to do good to some without, at the same time, inflicting evil upon others; therefore, it is concluded that the only motive by which, without dishonoring him, we can suppose God to be actuated, is, pure benevolence. God is love. He created men, not for his own pleasure, but for theirs; all his other attributes disappear; and he is gradually etherealzed into a personification of Benevolence.

The entire predominancy of the sentiment of Benevolence in the divine character being admitted, it logically follows, that the pleasure of God can only be promoted by promoting the happiness of man. In order to please him we must confer pleasure upon sensitive beings other than himself; we must be like him, purely benevolent. A mere service rendered to him personally, burnt offering and worship, even love and obedience, if merely passive, are nothing. What he demands is, acts of love towards our fellow-men. Thus forensic and mystic ideas of moral

allegorical or mythic solution of the question of the origin of evil; a solution, however, which we can hardly accept, unless we exclude the idea of benevolence from the Deity, or, with the Manichees, deny his omnipotence, and share it with the devil.

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goodness approach towards a coincidence; and man's duty to God becomes identical with his duty to man.

24. Since these views began to obtain a firm foothold in the modern Christian world, practical morals, even among the mystics, have made a rapid progress. Man, who, in other mystical systems, is represented as nothing, and his pains and pleasures as of no consequence, in this system becomes every thing. The love of God and the love of man begin to be looked upon as the same love; and God is openly declared to be, what, in all systems of theology he covertly is, Man, individualized, glorified, deified. Worship, according to this theory, consists in the contemplation and admiration of infinite benevolence; and is of use only so far as it may tend to excite to the performance of benevolent actions.*

* Thus we may understand how Dr. Strauss, who, by regular descent through Pelagianism, Arminianism, Socinianism, and Rationalism, now heads the advanced guard of the supporters of the theological theory above stated, after having proved to his own satisfaction, in his celebrated "Life of Jesus," that those parts of the Christian Scriptures called the "Gospels," so far as they purport to contain a narrative of events, are not authentic, but a mere collection of myths, in other words, of traditional legends, maintains, nevertheless, that those same gospels, even in their historical narrations, teach important truths very essential to mankind. The life of Jesus, in his view of it, is an individualized personification of deified Humanity, morally true, though historically false. Nor is it easy to see how those persons who coincide with Dr. Strauss as to the metaphysics of theology, and who still hold on to the Christian Scriptures as a guide of faith and conduct, can avoid accepting his system of critical interpretation, by which alone the Scriptures can be reconciled to their theology, or to the philosophical doctrine of the immutability of the laws of nature.

Tracing the theological theory of pure benevolence through the Pelagian, Arminian, Socinian, and Rational line, forensic philosophy appears to be its fostermother; but it has another genealogy, in which

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Religion, which formerly aspired to control every thing; which was made a pretence for trampling every moral obligation under foot; which taught so often that men were bound, by their duty to God, to disregard all their obligations to each other; and which scarcely served except to multiply evils and

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it appears as the nurseling of pure mysticism. This theory, so far as we know, was first advanced in the writings of the ancient Gnostics, who seem to have regarded God as a joint personification of truth and goodness; and who ascribed all evil, sometimes to matter, and sometimes to the devil. This idea as to God pervades the writings of several fathers of the church, particularly St. Bernard, the last of the Latin fathers. It was reproduced in the seventeenth century, in that celebrated work, the *Augustinus* of Jansenius, which formed the text book of the sect of the Jansenists. At first, the Jansenists were not only pure mystics, but very ascetic and very superstitious mystics. They could not fully grasp the necessary consequences of their own theory. Not only did they adhere tenaciously to all the forms and traditions of the Catholic church, but they even claimed that miracles were wrought in their own convent of Port Royal. Presently, however, their ideas enlarged; and before long, they were found fighting side by side with the philosophers, against the infallibility of the Pope, and the pretensions of the Jesuits, who, in those days, were the representatives and advocates, as our clergy are now, of current religious opinions; and who made, as our clergy make, both religion and morals subservient to that favorite scheme of all priesthoods, the scheme of putting forward themselves as the great pillar of the public welfare, and entitled, in consequence, to have the management of every thing. Every idea subsequently developed by Channing, or by the sentimental rationalists of Germany, such as Schleiermacher and De Witte, may be found clearly stated in the work of Jansenius.

The human mind everywhere proceeds according to the same laws. The history of New England Theology is, in little, a copy of the history of European Theology. The Hopkinsians (so called) represent the Jansenists; and the theologians of that school are fast approaching towards a coincidence with that branch of the Socinians, of whom Channing was the leader. This is the secret of that recent alarming outbreak, even in the very bosom of the orthodox sects, of what is called just now in New England, Transcendentalism.

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crimes, has of late, in consequence of the growing tendency towards these views, become more mild and humane, and has been compelled to walk in the train of morality. This, however, is a subserviency, to which the haughtier of the mystics, who still flatter themselves with the idea of being the peculiar favorites, the chosen servants, the appointed interpreters, and earthly vice-gerents of a deified image of themselves, do not submit without great reluctance, and many struggles, to throw off the yoke, and quitting the humble character of mere teachers of morality, to which, of late, they have been gradually restricted, to reëstablish themselves, as of old, with the keys of heaven and hell in one hand, and an earthly sceptre in the other.

25. As the opinions above sketched, respecting the Deity, originated in the application to theology of three different theories of morals variously modified, it has happened of course, that all the various sects of the three great theological schools above described, have held views of human nature correspondent to their theological opinions. Those who have applied to theology the selfish theory of morals, have preached with consistent zeal the total depravity of man; while those who have employed, in theology, the theory of pure benevolence, have run into the opposite extreme of representing men as by nature perfectly amiable and good, and all the evils of society as originating from something exterior, and therefore to be wholly removed by the removal of those exterior impediments. This is the doctrine of human perfectibility, preached by the French philosophers,

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or some of them, in the last century, revived in this, by the late Dr. Channing, Owen, Fourier, and others, and which gains daily a greater circulation; an opinion not only more comfortable, but what is of far greater importance, much nearer the truth, than that doctrine of total depravity, which it is so rapidly superseding.

The various sects of the great intermediate school of theology, accordingly as in their theological opinions they have approached nearer to the selfish or to the disinterested school, will be found, in their opinions of the character of man, to approximate towards the extreme of total depravity on the one hand, and of perfectibility on the other.

CHAPTER VI.

GROUNDS OF MORAL JUDGMENT AS RESPECTS INDIVIDUAL ACTIONS AND ACTORS.

1. HAVING shown upon what principles, looking at the external event, actions in general are pronounced right and wrong; and upon what principles, looking at the motives by which they are ordinarily produced, actions in general are pronounced virtuous or vicious; it now only remains to inquire, What are the principles according to which we determine the moral character of individual acts and individual actors?

Suppose a beneficial action performed before our

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eyes; that action is likely to have sprung from the sentiment of benevolence, modified more or less by other sentiments; and therefore it may be a virtuous action; and our first impulse will be to esteem it such. Yet, to pronounce it virtuous, we must suppose that the benefit was intended; that it was not conferred merely out of fear lest the actor might otherwise suffer some pain from the person benefited; or lose his good will; or lose the good will of his neighbours, by failing to fulfil their expectations; and that it was not performed out of the hope of reward, either from the person benefited, from his friends, or from society at large, by reason of a character for virtue thereby attained.

Here is ample room for controversy and difference of opinion; and we little need wonder at the disputes that prevail, as to the moral character of particular acts. In the first place, it may be disputed, whether or not the act is beneficial; and indeed a difference upon that point is apt to lie at the bottom of all moral controversies. Hence the importance of the science of Utility as a means of determining whether acts are, in fact, beneficial or not. If, as happens with respect to a great number of actions, there results a pleasure to some, and at the same time a pain to others; and if my sympathies are chiefly with those who suffer the pain, and yours with those who enjoy the pleasure, we shall dispute for ever about the character of the act; and accordingly as we pronounce it right or wrong, will be apt to be our judgment respecting the motives of the actor. For most men are natural adepts in the egoistical

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philosophy, and find it difficult, if not impossible, to conceive that others view things in a different light from themselves; and upon all moral questions they have been confirmed in this narrow notion by the prevalent idea of the intuitive certainty of moral opinions.

2. Again, suppose the act, the moral character of which we are called upon to decide, to be apparently injurious, — painful, that is, to persons who enjoy our sympathy. We shall conclude at the first aspect, that he who performed it could not have been impelled by virtuous motives. Yet, in this conclusion, we may be greatly mistaken. The action, though clearly wrong in our judgment, might have appeared right to him; and he may have performed it from the best of motives. He has done wrong; that is to say, he has done an act which, looking merely to the external event, gives us moral pain; but he intended to do right; and looking merely at his motives, we experience a moral pleasure. We condemn the act, but approve the man.

3. We call those individuals virtuous, whose conduct, on the whole, corresponds with our ideas of moral obligation; we call those individuals vicious, whose habitual conduct runs counter to what we esteem the dictates of moral obligation.

As individuals, generally speaking, are brought into immediate and frequent contact, only with a very small number of persons, their connexions, friends, and neighbours; and as but little knowledge of individuals can be obtained, except by personal intercourse, most persons have no means whatever of

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knowing the peculiar views, peculiar temperament, degree of knowledge and reflection, and particular position of those out of the little circle of their acquaintance. In this destitution of all the necessary *data* for forming a correct opinion of each other's moral character, we are apt to proceed upon very narrow grounds; to regard more words which we hear, than actions which we do not see; and to condemn or approve each other according to conformity, or want of conformity, whether in conduct or opinion, to some peculiar, often unfounded, notions of our own. Thus, a Scotchman hearing that the people of Paris and New Orleans dance, sing, and go to the theatre on Sundays, and that the people of New England observe that day with punctilious solemnity, concludes at once, without the slightest hesitation, that the French are a very immoral, the New Englanders a very moral, people. So a Mahometan, who is told for the first time, that all Christians eat pork, sets them all down at once, as destitute of goodness. Yet often the very persons who make these sweeping judgments as to communities or individuals of whom they know nothing or next to nothing, in deciding as to the moral character of their intimate acquaintances, will proceed with the greatest caution, discrimination, and candor, and will arrive, in consequence, at very just conclusions.

4. With respect, indeed, to those persons who are special causes to us of pleasure, whether the pleasure of admiration or any other pleasure, and who, by reason of pleasures conferred upon us, are objects of our love, we are always ready to make all

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excuses for them, and to see all their actions in a favorable light; nor do we easily believe that they are destitute of, or deficient in, that most excellent of all qualities, virtue. Hence it is, that so many apologists have started up to represent Alexander, Cæsar, Bonaparte, in spite of the enormous injuries which they inflicted upon mankind, as worthy to be classed among the most virtuous and beneficent of men. Hence it happens, that men of genius, poets, artists, and philosophers, who are sometimes men of very little virtue, always find so many zealous defenders of their moral character. Hence, too, the indulgent moral judgments respecting each other, formed by relatives, friends, and associates.

On the other hand, all those who are the causes to us of pain, even though that pain be inflicted involuntarily, or out of pure good will, become thereby objects of our malevolence, in the shape either of simple dislike or hatred, of envy, or contempt. These persons will be likely, in consequence, to have their motives very sharply criticized; and it will be with great difficulty, that we shall be induced to admit that there is any thing virtuous or good in their motives, or their conduct. Of this we have striking illustrations in the rage of party contests; in which we see great bodies of men, whose differences of opinion and of conduct are often scarcely perceptible, mutually denouncing each other as fools and knaves, destitute alike of sense and of virtue.

5. Men, in general, and especially that sort of

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men called men of the world, men who have had an extensive experience of mankind, are much more apt to suppose that any given action, even though in their estimation beneficial, originated in selfish, or what are called bad, motives than in good or disinterested motives; and hence persons of this class have generally been supporters of the selfish theory of morals. This is partly owing to the fact, that observation has proved the general predominance of selfish motives over human conduct. It is partly owing, however, to a pain of inferiority, which does not allow us easily to admit that others are more virtuous than ourselves; and which often excites a certain degree of malevolence towards men of the most exalted virtue. People become tired of hearing Aristides called the Just.

6. This, however, is the case with respect to our contemporaries only, and those whom we have been accustomed to regard as our equals. With respect to the dead, who are no longer our rivals, or to whom we have been taught to look up with admiration from our infancy, as a sort of demi-gods; or with respect to kings, princes, or superiors, whom, in like manner, we have always regarded as far above all rivalry of ours, we may even derive a certain pleasure of superiority from extolling *them*, because their excellence and exaltation reflects an honor upon human nature, in which as men, and more particularly as subjects, or fellow-countrymen, we may esteem ourselves to have a share.

7. This double operation of the sentiment of Self-comparison, leading us now to depreciate, and now

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to extol, it may be, the same persons, produces what have been pointed out as some of the strangest inconsistencies of human nature. We call them inconsistencies, but they depend upon fixed and certain laws; and they can no more to excite surprise in a mind versed in the science of man, than do the phenomena of eclipses, or the aberrations of the planets, in the mind of the astronomer. The laws upon which the phenomena of human action depend, had they been only as patiently and accurately investigated, would appear quite as certain, and quite as regular, as those which govern the motion of the planets.

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PART SECOND.

SOLUTION OF MORAL PROBLEMS AND CONCILIATION OF ETHICAL CODES.

CHAPTER I.

OF PERSONAL SECURITY AND THE RIGHTS AND DUTIES RELATIVE TO IT.

1. Having, in the preceding part of this treatise, by an analytical examination of the phenomena of human thought and action,* investigated the origin and nature of Moral Distinctions, and the laws according to which actions are classed as praiseworthy, indifferent, and wrong, meritorious, obligatory, permissible, and criminal; and having, also, pointed out the origin and foundation of the several prevailing theories of morals, and of the systems of practical morality founded upon those theories; we now propose to show the application of these results, as means of explaining both the coincidences and discrepances, so remarkable in the various systems of practical morality prevalent in different ages and countries.

* This examination is not complete, but limited to the objects of the present treatise. In the *Theory of Knowledge* it will be pursued to a greater extent.

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Let us begin with those moral precepts, those Rights and Duties, which have an immediate reference to life and personal security.

2. In all systems of morals, deliberate and unprovoked homicide has been esteemed a high crime; and that for the obvious reason, that Death has ever been regarded as one of the greatest of evils, if not the very greatest, which a man can suffer, or inflict.

3. If we inquire why death is regarded as so great an evil, we shall find that several circumstances concur to give it that character. In the first place, except where it is instantaneous, it is the result of, or at least is or appears to be attended by, intense pains consequent upon the disorganization or disturbed action of the vital system. Thus the idea of excessive suffering becomes intimately, and almost inseparably, associated with the idea of death.

In the second place, the idea of death is attended by a pain of inferiority of the acutest kind. Death levels all distinctions. It takes away all that makes us superior to mere clods of earth; it reduces the most beautiful and the most illustrious to heaps of disgusting corruption, and puts the wisest, the wittiest, and the strongest, below the level of the meanest worm that crawls. A live dog is better than a dead lion. It is this pain of inferiority which makes men clutch so eagerly at the idea of a new life after death, however slight and unsatisfactory may be the evidence by which that idea is supported.*

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* ——— "that must be our cure
To be no more? sad cure; for who would lose,
Though full of pain, this intellectual being,

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In the third place, the idea of death is attended by a pain of inferiority of another kind, a pain of ignorance or doubt, joined to which are pains of fear. Is death the end or not? If not, what is to follow after death?* This doubt and the fears which attend it greatly enhance that compound pain, called dread or Horror, with which Death is so commonly regarded.

Finally, in all ages and countries, in which the idea of a future existence has prevailed, that is to say, in almost all, if not all, ages and countries of which we have any knowledge, the conceived possibility, and, in many cases, the conceived probability and even certainty, that such future existence will be an existence of torment, has greatly added to the dread of death.

Mystical views have contributed not a little to enhance these horrors. Mysticism has taught, at least some modifications of it have taught, that death will introduce us, at once, into the sensible presence of an awful, if not an offended Deity; and hence, in all countries in which mystical ideas have prevailed, the conceived necessity of preparations for

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These thoughts that wander through eternity,
To perish rather, swallowed up and lost
In the wide womb of uncreated night
Devoid of sense and motion?"

Paradise Lost, Book II. v. 146.

* ——————— "Ay, there 's the rub;
For in that sleep of death what dreams may come,
When we have shuffled off this mortal coil,
Must give us pause. There 's the respect,
That makes calamity of so long life."

Hamlet, Act III. Sc. 1.

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death; which conceived necessity has caused sudden, and what is called violent death, to be regarded as something peculiarly dreadful;* though it is evidently the least painful, and, therefore, as far as that goes, the most desirable way of dying.

4. Mystical systems of morals have condemned homicide equally with forensic systems; but upon widely different grounds. According to mystical morality, murder is wrong, not because death is an evil to him who suffers it, but because it displeases God to have his creatures killed, his property injured, and his arrangements interfered with; or, as it is commonly expressed, to have men hurried into his presence before he has sent for them.

5. This objection, it is plain, applies to all sorts of killing, — killing in battle, killing in execution of a judicial sentence, killing in self-defence, — just as decidedly as to the most unprovoked murder; and hence those mystical moralists who have been consistent, have denounced war, capital punishments, and, since resistance must always tend towards homicide, even resistance to injuries, — as displeasing to God, and, therefore, sins. For it should be observed that what, in forensic systems of morals, are denominated *Faults* and *Crimes*, in mystical systems of morals, are called *Sins*. Whatever thought, word,

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* Cut off even in the blossoms of my sin,
Unhouseled, disappointed, unaneled;
No reckoning made, but sent to my account
With all my imperfections on my head.
O horrible! O horrible! most horrible!"

Hamlet, Act I. Sc. 5.

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or deed, is displeasing to God, is sinful. Whatever is not sinful, is pure, holy, just, and right, — terms which, in mystical phraseology, are equivalents.

Even suicide, being liable to the same mystical objection above stated, has been denounced by many mystical moralists, under the name of self-murder, as one of the greatest of sins; a denunciation in which all the mystical moralists of the Christian school have united; though many of them, out of deference to forensic morality, have endeavoured to maintain, in the very teeth of their own principles, the lawfulness of war, of capital punishments, and of homicide in self-defence.

6. Forensic morals, though condemning homicide as generally wrong, have yet admitted many cases in which it becomes permissible, and even praiseworthy. Homicide in self-defence has been esteemed permissible for the reason, that benevolence is naturally extinguished and malevolence excited, towards the man who threatens us with the pain of death, or, indeed, with any other grievous pain.

7. Indeed the pain excited by the apprehension of death, produces, in general, such a total extinguishment of the sentiment of benevolence, that to save one's life even by sacrificing the life of an innocent person, — as when two drowning men struggle together for a plank, — does not indicate any extraordinary deficiency of moral sentiment, and is, therefore, regarded in many cases as permissible.

8. Even the sentiment of benevolence itself may prompt me to commit homicide, when that homicide is necessary to the protection of those I love, my

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parents or children or near relatives or friends or fellow-citizens; and hence homicide under these circumstances, may even assume a praiseworthy character, may be regarded as a beneficial and meritorious act. Homicide in war, and public executions, stand precisely upon this ground.

9. What are called the Laws of War, at least those among them which tend to diminish its horrors, grow, for the most part, out of the sentiment of benevolence. So long as the enemy maintains a threatening aspect and position, my duty towards my family and my country requires me to use my best efforts for his destruction. But when he is humbled, discomforted, subdued, and no longer dangerous, to put him to death would be a pure, gratuitous cruelty.

Some other of these laws of war, such as that, for instance, which forbids the use of poisoned weapons, originated in the peculiar character which war assumed in modern Europe; it having become an occupation and, as it were, a sort of sport and pastime for the nobility; so that the field of battle came to resemble, in some respects, the lists of chivalry. During the wars of the French Revolution, which were wars of feeling, not of amusement, many of these carpet regulations were disregarded or set aside. But though the atrocities of those wars were very much cried out against, they presented no instances of deliberate, unprovoked, cold-blooded cruelty, like the desolation of the Palatinate by the orders of Louis the Fourteenth.

10. In order to understand the strange contradictions of opinion which exist throughout Christen-

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dom, on the subject of duelling, as well as upon several other points of morals, it is necessary to consider that although the mystical theory of morals — according to which killing in a duel is one of the most aggravated kinds of murder — is preached by all the priests, and is taught in all the schools, yet there has always existed among the upper classes of society a traditional code of forensic morality, called, by way of distinction, the *Law of Honor*.

This modern code of forensic morals, this Law of Honor, consisted originally of a few maxims and practices common for the most part to all rude and warlike nations, which the conquerors of the Roman Empire brought with them from the woods of Germany. When literature began to dawn once more, the code of honor was gradually improved by maxims derived from the schools of the ancient philosophers, Stoic and Epicurean; and in still later times, it has been refined and purified by the labor of many enlightened men of the world, and of several profound philosophers.

This Law of Honor, this current forensic system of morality, on several points, is directly at war with the Christian mystic code. Persons of the upper classes are taught the mystic code of morals at school and church, and the code of honor at home and in society; and hence results, in many cases, a strange confusion and inconsistency of thought and action. Persons of the lower class, till within a short period, were only instructed in the mystical code, which inculcated obedience, humility, contentedness, and hard labor, as the special duties of that lower class.

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But as within the last century the distinction of ranks has been rapidly breaking up throughout Christendom, and knowledge has been gradually equalized, the Law of Honor, or the modern forensic code of morals, has obtained a more general circulation; and notwithstanding the vast efforts, within the last fifty years, of the supporters of mysticism, forensic notions of morality have constantly continued to gain a wider currency, and acceptance.

11. According to the code of honor, there are certain cases in which it is a duty to accept, and even to send, a challenge; and if homicide ensue, it is held to be justifiable. Duelling, by those who defend it, is put upon the same ground with the infliction of capital punishments. It is alleged that the duellest, like the magistrate, if he inflict an evil upon a single individual, confers, at the same time, a benefit upon society; and a benefit which is the more meritorious, because he risks his life to confer it. Duelling, in fact, originated in the neglect of the laws to provide proper punishments for insults; so that insulted parties were obliged to take the law into their own hands; and the true and only effectual means of suppressing it, is, to supply that deficiency of the laws.*

12. With respect to suicide, which may be defined to be the voluntary aiding and abetting in one's own death, there are four several and distinct causes

* Bentham is the only author who has treated the subject of duelling with any knowledge of human nature, or in a manner at all satisfactory. See "Bentham's Theory of Legislation," Vol. II. Part II. ch. 14. *Of Honorary Satisfaction.*

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from which it may spring; and accordingly as it is produced by one or the other of those causes, it is regarded, in forensic systems of morals, as indifferent, as wrong, as meritorious, as a duty.

First. Suicide is often caused by the disease called melancholy. This is a disorder of the nervous system which destroys all capacity for pleasure, shutting the door even against Hope, — a pleasure that often suffices to supply the place of all others. Under the torture of this disease, even if it be not attended, as often is the case, by a partial overturn of the intellect, moral obligation loses all its force; and the unhappy sufferer is often driven to seek deliverance by suicide. No enlightened forensic moralist holds men to strict moral responsibility for acts performed under the influence of this disease, to which persons of excessive sensibility, and, therefore, possessing a peculiar delicacy of moral sentiment, are specially liable.*

Second. Suicide may originate in terror, in despondency, in what is usually called weakness of mind, — a want of courage, fortitude, confidence, and resolution to meet and encounter the usual evils of life. In that case, it is regarded as wrong, because he who commits it, is looked upon as shrinking, in a cowardly manner, from the discharge of

* The tragedy of "Hamlet" is a most masterly exhibition of the power of melancholy to disorder the intellect, and to destroy the force of the warmest affections, even of love itself. Filial affection, strengthened by habit, alone remains too powerful for it. Goethe was the first who made this criticism; its obvious justice has caused it to be universally assented to.

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those duties which he owes to his friends, and to society. This, and the preceding case, are very apt to be confounded together; and, indeed, they run into each other by insensible degrees.

If, however, the evil from which refuge be sought by a voluntary death bears the character of disgrace and degradation, as in the cases of Lucretia and of Cato, it is considered lawful to escape it by suicide; and the courage, contempt of life, and acute sensibility to dishonor, of which suicide, under such circumstances, is a proof, secure approbation, admiration, and applause.

Thirdly. A man may sacrifice his life for the sake of rendering a benefit to others, induced thereto by the joint influence of benevolence, and of the desire of superiority. Such a sacrifice of life is placed in the highest rank of merit. Even the mystics admit this.

Fourthly. A man is held bound to sacrifice his life, or at least to risk it, in defence of his family and his country; because the ordinary force of moral sentiment is sufficient to produce that line of conduct.

Even the mystical moralists, with all their horror of suicide, agree that men are bound to sacrifice their lives in the cause of God; though they are very little agreed among themselves, as to what the cause of God is.

13. Mystical morality settles the question of tyrannicide in two opposite ways. Apart from the general guilt of homicide, it is, say the mystics, the duty of men to submit quietly to the tyrant whom God has placed over them. But if that tyrant is also the en-

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emy of God, that alters the case; and there are not wanting good mystical Christian authorities, both Protestant and Catholic,* for putting such tyrants to death. As the priesthood, however, have fallen more and more into subserviency to the civil power, the former view of this question has more and more prevailed.

Forensic moralists may entertain doubts, whether the secondary evils of tyrannicide are not more than sufficient to counterbalance its immediate advantages; and they may hesitate, therefore, whether to class it among wrong, permissible, or praiseworthy actions. But the moral character of particular actors depends upon their particular motives; and few doubt as to the moral character, in other words, as to the disinterestedness and good intentions of Brutus, or Charlotte Corday.

14. In all countries in which there is no regular administration of justice, it is deemed a duty to one's murdered relations to avenge their death by the death of the murderer. Where law is established, the relations of the murdered party are held bound to be content with legal punishment.

In defect of law, there is no doubt a certain utility resulting to society from private revenge; but this utility is something too distant, and requires for its discovery too great an effort of the reasoning faculties, to have been very distinctly perceived in many communities, in which private revenge is es-

* Namely, Bellarmine, Suarez, Mariana, Buchanan, &c. See Ranke's "History of the Popes," Book VI. § I.

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teemed a duty. That idea of duty has reference principally to the murdered party; and rests mainly upon superstitious opinions. It is imagined that the murdered man cannot sleep quietly in his grave, till his murder be avenged.* The same pains of malevolence, of inferiority, and, indeed, of all other kinds, are ascribed to him dead, which he was capable of experiencing while living; and the sentiment of benevolence prompts to the relief of those pains, or at least some of them, by inflicting pains upon the object of his conceived malevolence. Malevolence against the man who has deprived us of a friend, impels in the same direction; and under this double impulse, there arises, in all barbarous states of society, states of society, that is, in which laws have yet no established existence, a tendency towards revenge which laws when they come to be established, often find great difficulty in subduing.

15. In societies somewhat more advanced but still barbarous, and in which the laws, or their administration is so imperfect as to inflict no punishment at all, or no adequate punishment, upon a great variety of private injuries, it is esteemed permissible, and even in some cases a duty, for the injured individual to inflict punishment, and in some cases, even capital punishment, upon the offender. This idea of duty plainly originates in the perception of the utility of punishments to society at large. It i sesteemed both a man's right and his duty, to destroy a dangerous human creature who has assailed his person,

* This idea plays a great part in the tragedy of "Hamlet."

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or intruded into his household with criminal intentions, or inflicted some serious injury upon him, and who is likely to do similar injuries to others; just as it would be both his right and his duty to destroy a wild beast, under like circumstances.

16. In such a state of society to volunteer to revenge the injuries of those, who are unable to be their own avengers, is esteemed a beneficial and meritorious act; and hence, in the barbarous times of the Middle Ages, the origin of the idea of knights-errant, celebrated in the Romances, who were supposed to have gone about revenging the wrongs of the weak and innocent.* Traces of the same ideas are to be found in the Greek legends of Hercules and Theseus.

It was this very view of matters, which secured for the Regulators, who figured in the early colonial history of some of the American States, and which secures to the executors of Lynch Law, in the present day, a certain degree of public approbation. They are regarded as supplementary to the laws, as the avengers of crimes which the laws cannot, or do not, reach.

17. The practice of duelling sprang, as we have seen, out of this practice of private revenge, justified and made necessary by the defects of the laws. It owed its absurdity of giving the aggressor a chance

* The institution of knighthood, and the vows which the knights took — exhibiting a strange intermixture of feudal and mystical notions — created some foundation in fact, for the fictions of the Romances.

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to add homicide to his previous injury, — in which respect alone it differs from the practice of assassination, and in consequence of which absurdity alone it has been able to maintain itself so long among civilized and polite nations, — to a notion derived from the mystical doctrine, that God, who directs all things, will certainly give the victory to that party who deserves it. This idea had, at one time, such a prevalence throughout Europe, that trials by combat and by ordeal became established expedients of the tribunals of justice. Several of the existing rules of duelling were originally rules of court.

Thus it appears that the mystics contributed largely to the introduction of duelling; a practice, which, in later times, they have exerted themselves in vain to put an end to. The gradual abandonment of the practice of duelling has been produced, not by the arguing or preaching of the mystics, but by the advancing humanity of the age, and the enlightened reasoning of forensic moralists.

18. In all those countries in which a tolerably complete triumph of law has been established, retaliatory homicide is no longer permitted. That which was useful until a better substitute had been provided, after the provision of that substitute, becomes pernicious. Still, all codes of forensic morals considering the effect of injuries received to diminish the ordinary force of the sentiment of benevolence, and even to give a preponderancy to the sentiment of malevolence, look upon provocation as diminishing, in a proportional extent, the moral guilt of homicide,

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and even in some cases of extreme provocation, as purging it altogether.*

19. In several systems of forensic morals, the destruction of new-born infants by their parents, and especially the destruction of infants in the womb of the mother, is esteemed permissible; at least under certain circumstances. Mystical morality, proceeding upon the one inflexible idea above stated, condemns these acts as among the most criminal. Forensic morals have permitted them on the ground, that death to a new-born, and especially to an unborn infant, is in fact rather a pain to the parents than to the child; that such acts are never likely to be resorted to, except when essential to relieve parents from a burden which they have no means to support; and when the life of the child, if preserved, is almost certain to be a life of degradation and misery.

Much has been said about the cruelty of these acts; and the utter helplessness of infancy is well calculated to create a feeling of pity in its behalf. But is mere life such a boon? What shall be said of that benevolence which saves the life of the child only to make its existence a perpetual disgrace to its mother and itself? which punishes child-murder

* The English common law admits several distinctions upon this subject, — such, for instance, as whether the fatal blow was struck, or not, with a deadly weapon, — which, though sufficiently well founded when they were originally adopted, at which time arms were universally worn, have no adaptation to the existing state of things. The consequence is, that the letter of the English law is constantly set aside, by a humane perjury on the part of jurors.

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with one hand, and shuts up foundling asylums with the other?

Even with respect to children born in lawful wedlock, the Romans and the Chinese might be entitled to ask, whether to extinguish the life of an infant daughter before she is hardly conscious of existence, is, on the whole, any greater cruelty or crime, than to shut her up, full grown and full of desire, to pine away her life in a convent; or to gratify a selfish pride by educating her in a style which incapacitates her from earning her own livelihood, a style which you can leave her no adequate means to support, and which exposes, or may expose her, to a thousand miseries?

But that the act of infanticide is a violation of the primary impulses of benevolence, is sufficiently evident, even from the practices of those nations among which it has obtained. The custom is to expose the children; not to put them to death, but to leave them to perish. This practice, no doubt, is the more cruel of the two; and yet it originates in impulses of benevolence. The child that is exposed may possibly be rescued by somebody more able or more willing to support it than its natural protectors; and many Greek and Roman legends are founded upon incidents of that sort. Even if the child perishes, at least the unhappy parent escapes the misery of seeing its last agonies.

If the Roman father once lifted the new-born babe from the ground, and so acknowledged it to be his child, he could not afterwards expose it. Parental affection, if it be allowed but a moment to develope

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itself, becomes so strong as to prove an overmatch for most other impulses; and for a father to hold his infant child in his arms, and not to feel the strong force of parental tenderness, would prove him, under ordinary circumstances, greatly deficient in benevolence. For obvious reasons, parental tenderness in a mother, is a still stronger sentiment than in a father; and nothing but the pressure of extreme want, or the horror of disgrace, will, under ordinary circumstances, induce a mother to consent to, or to take part in, the death of her infant child.*

20. Even with regard to those homicides which all systems of morals allow to be criminal, a great difference exists in different systems, as to the degree of criminality ascribed to them. In cultivated and refined societies, in which the supremacy of the law has long been established, and where children are trained from their infancy to keep their passions under control, a very different view is taken of this matter from that which prevails in savage and barbarous societies. As, in these latter societies, the average force of benevolence is less, and the average force of malevolence greater, the force of moral obligation is, in fact, different.

21. It is, also, to be considered, that, in the case of a man killed, the injury is by no means confined to the party murdered, — a circumstance which tends greatly to add to the criminality of the act. It ex-

* The punishment proper to be inflicted upon infanticide is discussed with much good sense and humanity by Bentham. *Theory of Legislation*, Vol. II. Part 1, ch. 12.

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tends to his friends, all those dependent upon him, or who loved him; and even to society at large. Hence the murder of a king, a chieftain, a philosopher, a poet, even the head of a family, is looked upon as a more aggravated offence, than the murder of an undistinguished, isolated individual. Hence in monarchical countries the excessive guilt ascribed to regicide.

22. It is from a more distinct apprehension of the secondary evils resulting from homicide; it is from the greater mutual interconnexion of men, and the increase of humanity which civilization produces, and especially from the greater rarity of the act, that murder, in a civilized state, is looked upon as so much greater a crime than in barbarous communities. Just in proportion as homicide becomes more rare, it implies a greater destitution of moral sentiment; till at last, from being regarded as comparatively a trivial misdeed, it comes to be reckoned among the greatest of crimes. Thus the homicides perpetrated during the reign of republicanism in France, though far less numerous and atrocious than those which on various occasions had signalized the monarchy; though accompanied by far fewer acts of gratuitous cruelty; and though prompted by an impulse into which the sentiment of benevolence entered in a much greater degree; yet taking place as they did, after Europe had, for near a century, been unaccustomed to such acts, they were thought to indicate a new and strange development of human depravity; and they cast a stigma upon the cause of reform, whether political or philosophical, which, even to the present day, serves to impede its progress.

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23. We have already pointed out some of the paradoxes on the subject of homicide, to which the mystical theory of morals has given rise. But there are other conclusions of that theory on this same subject which are worse than paradoxical; conclusions which have impelled men, under a mistaken sense of moral obligation, to perpetrate the most enormous cruelties, and to inflict upon their fellow-men the greatest possible injuries, not only death, but injuries far worse than death.

The personal God of the more orthodox mystics, as we have already seen, is supposed susceptible to feelings not of benevolence only, but also of malevolence, commonly disguised under the epithet of justice; and it has thence been concluded that the torment, and even the total destruction of those whom God hates, must be agreeable to God; and of course a moral duty. Each different school of mystics, setting themselves up to be God's chosen interpreters and vicegerants upon earth, have naturally concluded, that all who refuse to acknowledge and receive them in that character, must of course be God's enemies, and that God must delight in their destruction; and whenever they have possessed the power, they have conceived it to be their duty to God to suppress and destroy these his enemies. Hence we find the history of every school of mystics, whether Jews, Egyptians, Persian followers of Zoroaster, Christians in all their varieties, Pagans, Mahometans, Bhramins or Boodhists, little more than one continued series of outrages and injuries, carried to the extremity of the most cruel death against all

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those, whether denominated heretics, misbelievers, infidels, or atheists, who have refused to acknowledge the reality of their divine mission and appointment, and humbly to submit, in consequence, to their despotic authority. If within the last century, religious persecution throughout Christendom has assumed a less destructive character, that has been chiefly owing to the circumstance that with the declining influence of the mystical philosophy and the increase of religious skepticism, civil governments have refused to act any longer as the agents of priestly persecution. All that can be done without the help of the civil magistrate, still is done. The unhappy rebel against mystic despotism, is placed under a social interdict, not wholly dissimilar to that interdict of fire and water among the Romans, which, evading the name and the form of capital punishment, was more terrible and not less effectual.

That school of Christian mystics, which we have above described as having combined the mystical and disinterested theories of morals, and gradually etherealized God into a personification of Humanity, are led by that view to repudiate religious persecution; and hence, among that school of mystics there are some sincere friends of the entire toleration of opinions; and it is partly owing to the increased diffusion of their ideas, that religious persecutions have gradually acquired a more mitigated character.

24. Wounds, blows, and assaults upon the person, especially where the injury is permanent, or endangers life; and for the same reason, the administration of poisons, that is, of certain drugs tending to de-

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range the vital functions, and to inflict pains of disease, — such drugs, for instance, as alcohol and opium, — are acts, the direct and inevitable tendency of which is, to inflict pain. They are, therefore, usually classed as wrong acts, though there are certain circumstances similar to those already pointed out in the case of homicide, which may render them, in certain cases, permissible, obligatory, and even meritorious.

25. The same may be said of Restraint or Imprisonment, the infliction of which combines pains of muscular and mental activity, pains of inferiority, and the deprivation of many pleasures, which might otherwise have been pursued and enjoyed.

26. Compulsion stands upon the same ground. It is the impelling a man by the pain of fear to submit to some other pain, such, for instance, as the pains of labor, falling under the head of pains of activity. Compulsion is always attended by a pain of inferiority, which makes it doubly disagreeable. It is, however, esteemed sometimes wrong, sometimes permissible, sometimes obligatory, and sometimes meritorious, according to the objects for which, and the circumstances under which, it is exercised. The state of Slavery includes all the evils of restraint and compulsion; and it is upon that ground that most recent moralists have maintained that to hold men in slavery is morally wrong. The prevalence of slavery, however, still causes it to be regarded by many as morally permissible.

27. Threats are the preliminary to compulsion,

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and are one chief means of compulsion. Of course, they are to be regarded in the same light.

28. We come next to a class of personal injuries called Insults. These injuries, considering merely the bodily pain which they inflict, are often of the most trifling character; indeed, some of them inflict no bodily pain at all. They consist in such acts as merely touching a man with a stick, or shaking it over him, ejecting a drop of spittle into his face, or the applying to him a particular epithet, such as liar, or coward. These acts owe their injurious character entirely to the fact that they are conventionally used and understood as marks of contempt. The pain they inflict is a pain of inferiority; and to submit quietly to them is understood to imply a voluntary acquiescence in our own degradation. Now, inasmuch as the pain of inferiority is an essential auxiliary even to ordinary virtue, to show ourselves insensible to that pain, is regarded as indicating a depraved character.

Legislators, who generally look merely at the outside of things, have failed to comprehend the true character and serious nature of insults. They have regarded them as trifles unworthy the notice of the laws; and though, when seen in the light of provocations, their importance has been admitted, yet no enactments have been made to suppress and punish them. Hence it has happened that duelling, which offers a remedy, though often a very imperfect and a very expensive one against this sort of injuries, has survived all the homilies that have been uttered, and even all the laws that have been enacted, against it.

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CHAPTER II.

RIGHTS OF PROPERTY. DUTIES AND CRIMES CORRELATIVE TO THOSE RIGHTS.

1. Let us now pass to the consideration of the rights of property; of the duties which are correlative to those rights; and of the acts which are considered wrong, because they violate those rights.

Property, as Bentham has ably and clearly shown, is nothing but a *Basis of expectation.** The idea of property consists in the expectation of being able to draw certain advantages from the thing possessed; an expectation, which in a limited number of cases, arises anterior to all law or convention, and affords a foundation for the earliest laws; such, for example, as the expectation entertained by men even in the most savage state, of deriving advantage from the huts they have built, the weapons they have made, the fruits they have gathered, the game they have taken, and the hunting grounds which they and their fathers have possessed. But in far the greater number of cases, at least in a civilized community, that basis of expectation which constitutes property owes not only its firmness and its certainty, but its total existence, to usage and mutual understanding, in one word, to Law.

2. To disappoint this expectation, to deprive a man of that which the law has authorized him to

* *Theory of Legislation*, Vol. I. Principles of the Civil Code, Part I. ch. 8.

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regard as his property, inflicts upon that man a pain of disappointment; it cuts him off from all the pleasures which the possession of that property might have conferred; and exposes him to suffer all those pains, against which the possession of that property might have enabled him to defend himself. An additional pain of inferiority is also attendant upon the idea of being plundered, whether by superior force or superior art. It is this latter pain which renders the idea of being cheated or robbed, even of a small amount, so very disagreeable.

3. All codes of morals, even those which exist among thieves, cheats, and robbers by profession, regard the violation of *acknowledged rights* of property as wrong and immoral. This, however, is only the case when those whose property is violated, are, to a greater or less degree, objects of our benevolence. If they are objects of our malevolence, the infliction of pain upon them does not give us any pain; and we may even regard the violation of their rights of property, with a certain degree of moral approbation. Such is the case of a city taken by storm, and generally, of the plunder of enemies; such is the case of pulling down the houses and destroying the furniture of those who have become obnoxious to popular prejudice. The excessive obloquy attached to some particular violations of the right of property, such, for instance, as theft, is in a great measure artificial. Upon any just estimate, the moral turpitude of fraud is quite as great as that of theft.

4. Mystical doctors have given the most unlimited license to violations of the rights of property. It was

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enough to point out the Canaanites as the enemies of God, to make the Jews regard them and their country as lawful plunder. Both Christian and Mussulman doctors held, if they do not still hold, that the lands, goods, and chattels, and, indeed, the very persons of infidels and heretics, are the rightful spoil of orthodox believers; and robberies the most atrocious and extensive have been committed under this pretext, both in the Old World and the New. That the saints shall inherit the earth, is a favorite doctrine with fanatics of every creed; and whenever they have possessed the slightest ability, they have always shown a corresponding disposition to carry that doctrine into practice.

5. The effect of antipathy, or malevolence, in producing disregard for rights of property, will enable us to understand how it happens, that in those countries in which property is very unequally distributed, where there are a few rich, and a vast many poor, both the poor and the rich are apt to consider each other as fair plunder. Two such classes look upon each other with mutual antipathy, and have very little disposition to respect each other's rights. Hence it happens that property is best respected and most secure in communities in which it is most equally distributed; and that appears, also, to be the arrangement most favorable to the increase of wealth and the happiness of society.*

* If any one should incline to cite England as a country in which, though wealth be very unequally distributed, the rights of property are *respected*, I would beg him to call to mind the enormous criminal

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6. It is very unfortunate that the laws regulating the distribution of property, being founded, for the most part, upon the customs of barbarous times, and being almost always controlled by a few rich men misled by narrow views of self-interest, are almost everywhere in a very imperfect state; and do by no means correspond so exactly as they might and ought to do, with the natural basis of expectation. Hence it happens that law and equity are so often at variance; and that prejudices against the rights of property by no means destitute of plausibility, have spread far and wide through society.

7. There is one kind of property of so anomalous a character, that although it has existed in most parts of the world, and still exists in many parts of it, it has at length been wholly repudiated by the more humane and civilized nations; and that is, property in men, slaves.

8. Slavery originated in war.* Instead of killing the prostrate enemy, he was seized and made a slave of. This hardly took place till men began to keep flocks, or to cultivate the earth; because, prior to that state of things, slaves would have been a mere incumbrance. Hence it has happened, that at a certain stage of advancing civilization, slavery has been

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calendar of that country, composed, in a great measure, of offences against property. The laws of property are enforced and upheld in the British Isles; but it can hardly be said that the rights of property are *respected*.

* See this subject fully treated in a work by the author of this treatise, entitled, "Despotism in America," ch. 2. See also, *Theory of Politics*.

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introduced into almost all communities. From this circumstance some reasoners have concluded, that, at a certain stage of civilization, the introduction of slavery becomes an element necessary to the further advancement of society; a conclusion which the premises do by no means warrant.

It has, also, been pretended that when the prostrate enemy, instead of being killed, is made a slave of, there is a triumph of benevolence over malevolence, at which humanity ought to rejoice, and which proves that slavery originates in benevolence, and tends to the increase of human happiness. The defenders of the African slave trade alleged that it annually saved thousands of wretches from being put to death; as though slavery were not an evil, upon any just estimate, infinitely greater than death. Benevolence, in fact, had nothing whatever to do with the introduction of slavery. It was a feeling of malevolence joined to a desire of superiority, and the expectation of advantage from the services of the slaves, that made men slaves in the first place; it is the continued operation of these same motives, that keeps them so.

9. Slavery has always been acknowledged, and for good reasons, to be the most miserable condition into which a man can fall. It subjects him to constant pains of inferiority, and to a great many pains of other kinds. It is impossible for men of ordinary humanity to inflict so great an evil upon their fellowmen, unless they be, at the same time, objects of malevolence; and it is only by keeping up against the slaves a feeling of malevolence, that is, making

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them objects of hatred, upon the ground that they are heathens, savages, destitute of the ordinary degree of humanity, and certain, if they are set free, to murder their masters; an inferior order of beings, made to be slaves, incapable of civilization, not able to take care of themselves, and, therefore, or for some other reasons, proper objects of hatred and contempt; it is only while malevolence is kept up by some such artifices, that slavery can continue to exist. Hence the great anxiety evinced by slaveholders and their friends to foster such prejudices and to diffuse them; and hence the destruction of these prejudices ought to be the chief object of those who aim at the abolition of slavery.

10. It appears, then, that while the respect which is paid to property in general originates in the sentiment of benevolence, slave property owes both its origin and its continuance to the sentiment of malevolence, — a very essential distinction between these two kinds of property, — a difference which puts them in decided opposition to each other.

11. All who have ceased to be influenced by those sentiments of malevolence towards the enslaved to which slavery owes its origin and its continuance, or to whom the slave-owners are not, for some reason or other, objects of peculiar sympathy, are apt to feel a high degree of commiseration for the enslaved, and a corresponding degree of indignation against the masters; a commiseration and an indignation, which reach, in general, the highest pitch, with those whose knowledge is confined to the simple fact, that the one party are slaves, and the other party masters;

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but who, beyond that fact, have no personal or precise knowledge of either party. The degraded condition of the slaves, if it makes them objects of pity, is very apt, at the same time, to make them objects of contempt; while the superior condition of the masters, their wealth, authority, leisure, education, and manners, often present them to us in a very agreeable light. Hence it happens that those who have a personal knowledge of masters and their slaves, not unfrequently expend all their benevolence upon the masters, while they regard the slaves with a malevolent contempt.

12. Slavery, though generally condemned by modern forensic moralists, has found numerous apologists and defenders among the mystics. They tell the slave that since God has seen fit to place him in that condition, it is his duty to be contented with his lot. Rebellion against his master, or any attempt to evade or to shake off the burdens imposed upon him, is neither more nor less than rebellion against God. The greater part of the Christian mystical doctors insist, and, critically speaking, with apparent reason, that the Christian scriptures, and especially the apostle Paul, give countenance to slavery; and it is held, or at least, till very lately, it has been held by the highest authorities among them, that there is no inconsistency between the characters of a saint and a slave-trader.

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CHAPTER III.

OF PROMISES, CONTRACTS, AND TRUTH IN GENERAL.

1. Closely connected with the subject of property, is the matter of Promises, Contracts, and Truth in general. He who violates a promise, or neglects to fulfil a contract, and to a certain extent, he who tells what is not true, is sure, in so doing, to inflict a pain of disappointment, and may inflict many other pains.

2. Promises or contracts, extorted by force or threats, are not held to be binding. The very extortion of them was the infliction of an injury, and renders him who extorted them an object of malevolence and of moral disapprobation. The disappointment of such a man, instead of giving us pain, gives us pleasure.

3. Promises which cannot be fulfilled, without violating the rights of some third party, are held not to be binding. When the same motive operates with equal force to impel us, and to deter us, of course we remain inactive. Hence it is held, that no promise to do a wrong act is morally binding.

4. If a man comes to me to ask for information, and especially if I volunteer to give him information, generally speaking, to give him false information would be doing him an unprovoked injury. Hence all moral codes are agreed as to the moral obligation of telling the truth.

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5. But suppose the information is asked with a design to use it as a means of inflicting injury upon me? It is sought to extort my secret, in order to use it to my harm. He who comes to me with such an intent, is himself a wrong-doer, an object of malevolence; and it is permissible for me to deceive him.

6. Suppose the party in question seeks the information with the design to use it as a means of inflicting injury upon others? Suppose that with an intention to commit murder, he asks me if his intended victim is here, or there? In such a case it is not only my right, but my duty, to deceive him; and, indeed, without waiting to be asked, to volunteer false information.

7. Such are the decisions of forensic morality; such are the practical decisions of all rational men. But the mystical moralists, in general, have decided otherwise. According to them, the reason why I am bound to keep my promises, and to tell the truth, is, because that course of conduct is pleasing to God. God has an abstract delight in truth. It has further been imagined that if I am adjured to tell the truth in God's name, that is, sworn to tell the truth; or if I call upon God to be the witness of my promise or my statements, in that case, no matter though the oath be extorted, and no matter what may be the nature of the promise, or the statement, my duty to God requires that I should keep the promise, or tell the truth, regardless of the consequences to myself or others. A little reflection is sufficient to convince us, that if truth be indeed pleasing to God merely

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in its character of truth, the circumstance of an oath can make no difference in the moral obligation of speaking the truth and fulfilling promises; and hence it has been concluded that to speak the truth at all times, is an absolute duty admitting of no exceptions; and that to deceive or even to conceal, for concealment is a sort of deception, can never be permissible.

8. Some forensic speculators upon morals, proceeding by a different route, have arrived at the same conclusions. The utility of truth, that is to say, the advantages which veracity and general fidelity to engagements confer upon society, are so immense that it has been thought impossible to go too far in inculcating this duty. The means has thus come to be looked upon as equivalent, or superior, to the end; and it has been zealously maintained that men are under a moral obligation to fulfil their promises, and to speak the truth, in all supposable cases, even in cases where nothing but evil seems likely to result from it.

9. It ought here to be observed, that what is called the love or admiration of the truth, and the eulogiums passed upon veracity, do not by any means originate entirely in the moral sentiment, whether from the perception of the general utility of truth to mankind at large, or of its utility in particular cases to particular individuals. Many sentiments purely selfish contribute to make truth so great a favorite. Knowledge is power. Every increase of our knowledge enlarges our power, and gatifies the desire of superiority. The perception that we have been deceived

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or misled, is accompanied by a pain of inferiority. Men frequently insist upon the obligation of oaths and the duty of veracity, merely because they wish to employ them as means of increasing their own power, and of binding and subjecting others to the fulfilment of their will; that is, as instruments of despotism. Thus the subscription to creeds as a condition of civil privileges and of the right to teach was first introduced by the Jesuits as a means of reëstablishing the Catholic faith. The Protestants soon followed the example; and both, of course, were very loud and very positive as to the binding obligation of such subscriptions.

10. When we detect a man in having told us what is not true, a painful feeling at the idea of having been deceived rises in our minds. To this is added another painful feeling, at perceiving that we can no longer rely upon that man's assertions, — a pain of anticipation at the idea of the future deceits which he may put upon us. To these are added other painful feelings produced by the present pains to which this defect of veracity has exposed us, or by the idea of certain future pains, to which it is likely to expose us. All these pains thus inflicted upon us naturally excite a feeling of malevolence against the person who deceives; and, quite independently of any sentiment of moral disapprobation, serve to render a liar an odious character.

11. Mere falsehood, however, when unaccompanied with the intention to inflict some additional serious injury, of which the falsehood serves as an instrument, is a practice into which men so habitu-

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ally and universally fall, that, however severely it may be condemned by professed moralists, in all practical codes of morals, it is reckoned among the more trivial offences. In a very large proportion of cases in which men deceive, they have no fixed deliberate intention of doing so. With the vast majority of men the imagination is so much an overmatch for the memory, the judgment is so sluggish, or so much under the influence of emotions, that it is impossible for them to report correctly what they have seen, or what they have heard. Hence that universal tendency to misrepresent, which leads all those who rely upon tradition or hearsay into infinite errors, even in those numerous cases where there is no intention to deceive. The same may be said of simple breach of promise, — as, for instance, the non-payment of debts, which, unless the debts were contracted with a predetermination not to pay, seems, in these days, to be reckoned hardly any offence at all. Even when there is a design to deceive, simple falsehood when it inflicts no positive injury, as, for instance, putting off a dun by promises to pay him, or denying ourselves to persons whom we do not wish to see, is practically regarded as a trivial matter.

12. The pain of inferiority at being detected in a falsehood, or a breach of contract, — for the greater part of falsehoods proceed from fear, and the greater part of breaches of contract from inability, — has, in general, much more influence than the sentiment of benevolence in inducing men to tell the truth and to fulfil their engagements. There are many very

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benevolent men whose word or promise cannot safely be trusted; and many men of but little benevolence very strict in fulfilling their engagements.

13. But when falsehood is employed as a means of inflicting other additional injuries, as in the case of Slander, False Testimony, and Fraud, it has always and for obvious reasons been denounced as among the greatest of crimes.

14. We may here remark, that cheating in trade does not always spring, as is commonly supposed, from a mere sordid cupidity or desire of gain. To make a good bargain, as it is called, implies a certain degree of superior dexterity, a dexterity which, in a community of traders, comes to be highly prized, to be regarded, in fact, as the great test of talent. Of course, its possession and exercise produce a certain pleasure of superiority. Hence it often happens that men of princely fortunes, and above every imputation of meanness, who will entertain you as a guest for weeks together with the most profuse liberality, and who are constantly performing acts of charity and munificence, when you come to deal with them as merchants, will be highly delighted at cheating you out of a sixpence.

What is esteemed allowable sharpness, and what shall be reckoned fraud, varies greatly in different systems of morals. Among savages, moral sentiment upon this point, is, in general, sufficiently delicate. The European code of honor admits upon this point no chicanery nor subtle distinctions. But the practice of commerce has led to the introduction, among merchants and lawyers, of many refinements and

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many quibbles unknown to the simplicity of ruder times.

15. Closely related to frauds are what are called unfair advantages; as when I take advantage of a man's ignorance or his necessities, to induce him to make a disadvantageous contract, sale, or purchase. Upon this point, the mercantile and legal standard of moral obligation is exceedingly low. Men who would shrink from a positive fraud or a positive false statement, do not feel themselves obliged to communicate information which would cut them off from an advantageous bargain; or to pay a higher price, when, by concealing certain information in their possession, they can compel or induce the acceptance of a lower one.

16. The doctrine of contracts, and the doctrine of frauds constitute two of the most important branches of legal learning, both of which have been very much complicated by the subtleties of scholastic lawyers, and by a profound ignorance, so universal among lawyers, of the real nature and foundation of moral distinctions.

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CHAPTER IV.

POLITICAL DUTIES.

1. We come now to the consideration of a class of duties of the most interesting and important character, called Political Duties. The duty of obedience to civil magistrates, and of conformity to the laws, and the correlative duty of legislators to make just and equal laws, and of magistrates to administer those laws with equity, are evidently founded upon the benefits which society derives from a settled government, and from just laws faithfully administered and submissively obeyed.

Hence, in all forensic codes of morals, when the government is administered in such a way as to produce more harm than good, or much less good than it might or ought to produce; when laws are enacted injurious to the public; when government, instead of contributing to the benefit of all, is made an instrument for elevating or enriching one or a few at the expense of the many, civil obedience is no longer esteemed a duty; in fact, it may become a duty to disobey, and even to rebel.

It is, however, a matter so nice and difficult to determine when that point is reached which makes rebellion, civil war, and the danger of anarchy preferable to further submission to a tyrannical government and unjust, or in other words, unequal laws, — that all cases of disobedience and rebellion give rise

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to infinite controversies and disputes, both as to the rectitude of the rebellion itself, and as to the motives and moral character of those engaged in it. In this case, as in several others, for want of any better test, vulgar opinion is commonly decided by the failure or success of the enterprise; though that success often depends upon circumstances impossible for those who commence a revolution to foresee. We shall show, however, in the *Theory of Politics*, that in this particular case, this vulgar method of judging is not destitute of a solid foundation.

2. Mystic morality views this matter in a very different light. Having laid it down as a first principle, that man has been created by God, solely for God's pleasure, hence it follows, as we have seen already, that it is man's duty to serve God in every thought, word, and deed, and to obey him in all things. But how are the will and wishes of God to be known, except from those to whom he specially communicates them, and whom he has established as a separate and distinct order, peculiarly devoted to his service, and the special interpreters of his will? Hence the duty which priests have always taught, of an implicit and absolute submission on the part of the laity, not only so far as regards actions, but even as regards thoughts, to the control of the priesthood, the select and inspired interpreters of the will and pleasure of God.

3. Thus, wherever mystical doctrines have obtained complete sway, a theocratic despotism has been the result; as, at one time, in ancient Egypt, among the Jews, among the Mexicans, and Peruvians, and

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at present, in the territories of the Pope and the Lama. The Saracen Caliphs, the successors of Mahomet, claimed to be God's supreme vicegerants upon earth, and the present Turkish sultans pretend to be the successors of the caliphs, and to be entitled to exercise the same spiritual despotism. The emperor of Russia is head of the church as well as of the state, and there can be no perfect and permanent despotism, where these functions are not united. It seems likely that theocracy prevailed at one time throughout India. It existed among the Druids, in ancient Gaul and Britain, and, perhaps, had some influence in making the inhabitants of those countries, already accustomed to servitude, fall a prey to Roman conquerors whom the freer Germans successfully resisted.

Wherever theocracy has long prevailed, it has produced an enervating effect, against which even the fervors of religious enthusiasm, which are always limited to a few, and which soon become exhausted, furnish but a doubtful and unsteady counterbalance. Theocracy, during the Middle Ages, came to the very point of consolidating all Europe into one great papal monarchy. Evident traces, even very perfect specimens of it, are to be found among the most savage tribes of Africa, America, and the South Sea. It has laid the foundation of many empires, and has prevailed so universally, that even the candid, acute, and philosophic Guizot has been seduced into the conclusion, that it is an element essential to civilization. Without stopping here to controvert that opinion, we will only remark, that wherever theocracy has been permanently established, or has approached

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towards establishment, as in modern Spain and Italy, and in the Spanish and Portuguese conquests and colonies, it has proved the most fatal bar to all freedom, whether of thought or action; and has congealed society to a condition almost perfectly stationary.*

The struggle of Christian mysticism, and of the theocracies attempted to be founded upon it, first, with Paganism, the ancient philosophies, and the civil institutions of Rome; next with the superstitions of the North, and those moral and political customs and ideas which the destroyers of the Roman Empire brought with them from the woods of Germany and the plains of Sarmatia; thirdly, with numberless new systems of mysticism, which, under the name of heresies, have been constantly springing out of its own bosom; fourthly, with the simpler, more rational, and in some respects, more captivating doctrine preached by Mahomet; fifthly, with the kings, princes, nobles, and burghers of Europe; and sixthly, with the advancing knowledge and philosophy of modern times; these events form the most interesting and instructive leaf in the fragments which we possess, of the history of mankind.

4. The priesthood, alike during the infant weakness of theocracy, and when it begins to tremble under the decrepitude of age, have affected to content themselves with controlling the thoughts and private actions of mankind; and have courted the aid, or at least the countenance, of the civil magistrates, by ostentatiously yielding up to them all

* This subject will be fully considered in the *Theory of Politics*.

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control of civil and political affairs. Hence the doctrine, that those who have power govern by divine ordination; and that passive obedience to the powers that be, is a duty to God. This, indeed, is an obvious and necessary deduction from that pure mysticism which ascribes all existences and events to immediate volitions of the Deity.

5. This doctrine is equally applicable to all forms of government. When it is kings who are in power, kings have a divine right to govern. Under aristocracies, this same divine right belongs to the aristocracy; and whenever democracy begins to rear its head, we presently begin to hear of the divine right of democracies. Indeed, it is an ancient mystical maxim, that the voice of the people is the voice of God; a maxim which came into vogue at a time when the priesthood were the people's spokesmen, and when they employed the name and the strength of the people for the accomplishment of their own private ends.*

The priesthood, in every age and country, readily become the advocates of those who rule *de facto*. Whoever gets the power, no matter how, the priests are ready to crown and consecrate. A Charlemagne, a Bonaparte, a William the Third, a George the First, a Louis-Philippe, have, in their eyes, a much

* As, for instance, during the civil wars of France, when the populace of Paris and the large towns was leagued with Philip the Second of Spain, the Pope, and the Guises, against Henry the Fourth, and the Protestants. The Jesuits held doctrines, at that time, as to the right of the people to depose kings, not at all short of those which, two centuries after, brought Louis the Sixteenth to the block.

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more divine right than a Merovingian, a Stuart, a Bourbon, from whom the sceptre has departed. Possession, in their view, provided always that the possessor will allow them to come in for a certain share of influence and reverence, is not only nine-tenths of the law, but a perfect right. The vicar of Bray is their type and representative. In this respect they are true waiters upon Providence, consistent adherents of the pure mystic theory, their conformity being less dishonest than it is commonly represented.

6. The doctrine of the divine right of kings to govern, and of the moral obligation of the people to obey and to submit, though apparently taught with great emphasis and precision in St. Paul's Epistles, and though generally inculcated by the Christian Fathers in the early days of Christianity, fell into total neglect, during the efforts of the Gregories, the Paschals, and the Innocents, to establish the universal monarchy of the Popedom. In those times, a divine right was claimed for the clergy, over kings as well as over the people. At the period, however, of the great Protestant rebellion, the doctrine of the divine right of princes was revived as a means of keeping the kings of Europe faithful to the Catholic creed. Their assistance was further secured by sharing with them a large proportion of the property and patronage of the church; an expedient which proved perfectly successful, except with Henry the Eighth of England, who was involved in a personal quarrel with the Pope, and in the four northern kingdoms of Scotland, Sweden, Norway, and Denmark, in which the nobility were at blows with their

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sovereigns who remained faithful to the Holy See; and where the wealth of the church, seized upon by the rebellious nobles, made them great zealots in the Protestant cause.

The Protestant clergy were driven, in consequence, to adopt a similar policy. They surrendered up to their princes and supporters a great portion of the church revenues and patronage; and soon began to outbid the Catholics, in the zeal with which they preached the doctrine of the divine right of kings.*

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* Calvin and Knox, though they acknowledged the divine right of civil government, maintained, and the more sturdy of their followers have maintained to this day, the entire independence of the church, or, to speak more plainly, the rightful subordination of the state to the Church, in all spiritual matters, which may easily be made to mean, all matters. In this opinion they coincide exactly with Bellarmine and the Jesuits; and have gone a good deal beyond the body of the modern Catholic doctors. But the greater part of the English Reformers, except those who were infected with Calvinism, as well as Luther, adopted the courtly creed of the divine right of princes to a much greater extent than did the Catholic clergy, maintaining the Erastian doctrine of the divine right of kings to rule the church as well as the people.

Luther, indeed, would willingly have stickled for the absolute independency and supreme power of the elect; but circumstances compelled him to modify his doctrine. "The sect of the Anabaptists was founded by Nicholas Storch, Mark Stubner, and Thomas Munzer, in 1521. It was founded upon the abuse of a doctrine which they had read in a book published by Luther, in 1520, '*De Libertate Christiana*,' in which he asserted, 'that a Christian man is master of every thing, and is subject to no one.'" *Bayle's Dictionary*, art. *Anabaptist*. "Luther, perceiving that many accused him of giving occasion to this rebellion (that is, the Anabaptist rebellion), by the book that he had written in the vulgar tongue, in defence of Evangelical liberty against the tyranny of those who overlaid it by human tradition, answered that accusation in a long discourse, in which he showed them

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7. Though the doctrine of the divine right of kings was of mystical origin, the doctrine of the *indefeasible right* of kings, which by a different road reached the same point of unlimited despotism, originated in forensic and feudal ideas. Under the feudal system, the right of property and the right to govern were indissolubly connected; and hence by degrees these two rights came to be confounded together, as if they had been one and the same. According to the theory of the feudal system, which was, indeed, nothing but a legal fiction, the king was the source of all power, and also the source of all property; all titles, both those of honor and jurisdiction, and those of private possession, being traced back, if not historically, at least assumptively, to his gift. Certain jurisdictions were annexed to certain estates, and both became hereditary together. Hence sprang the idea that the king had the same right to rule that the subject had to the property he possessed; if not, indeed, a prior and superior right; and that it would be just as great a violation of justice, if not greater, to deprive the king of his crown, as to deprive the subject of his estate. Thus arose that strong feeling of loyalty which once reigned in European monarchies, and which, yet, is not wholly extinct; and

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that the scripture enjoins obedience to princes and magistrates, even though they should abuse the power which God had intrusted them with; that they ought to address themselves to God, and in the mean time, suffer with patience, in expectation of his good pleasure; and that the way of arms which they had taken up, would be the occasion of their damnation, if they refused to lay them down." *Mainbourg's* "*History of Lutheranism*," Book I., as cited by Bayle.

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hence the political doctrines of Hobbes, who, though an innovator in philosophy, was a conservative in politics, and an enthusiastic lover of peace, greatly alarmed at the revolutionary spirit of his times. He attempted to supply a philosophical basis for these feudal notions of kingly right, and taught, that, men having once conferred absolute authority on a prince, as the only means of escaping out of an original and natural state of anarchy and private war, the right to govern thus conferred, like the original distribution of landed property, was morally indefeasible and for ever binding, and for precisely the same reason, to wit, the good of society. In more modern phrase, the right of the king to govern had become a *vested right*, which could not be disregarded without fatal consequences. Society, for its own benefit, had armed the prince with unlimited power, and for the sake of escaping the greater evils of perpetual anarchy, had consented beforehand to every thing he might do. Absolute power in the prince being essential to the welfare of society, no imaginable misconduct on his part could justify resistance to his authority, since the anarchy and universal war of men against each other, which must result from the overthrow of an established government, is a far greater evil than any isolated or temporary acts of oppression. The conclusion of Hobbes, though he was very little of a mystic, was precisely that of Luther. Princes are not responsible to their subjects, but only to God.

But though the right to rule was *morally indefeasible*, that is to say, not to be defeated without a

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great violation of right, a great crime, Hobbes held, that, this crime being once committed, the usurper stood exactly in the position of the former ruler, and was equally entitled to implicit submission. In this point he departed from the feudal doctrine, for the sake of escaping those destructive wars of succession which had grown out of it.

The English clergy detested Hobbes's system of philosophy and morals not so much from any particular errors in it, as because, being founded upon reason and observation, and not upon authority, it struck a great and fatal blow at mysticism, and however narrow and erroneous in many particulars, yet tended directly and avowedly towards the emancipation of mankind from priestly domination. But they were delighted with his conservative politics, which seemed to tend the other way; and while they repulsed him with one hand, they caressed him with the other. This same odd procedure upon their part was repeated over again in the case of Hume, and for similar reasons.

8. Against Hobbes and the bishops, against the doctrines of the divine right, and of the indefeasible right of kings, it was argued by Locke and the English Whigs, that if kings and governments have rights as against their subjects, they have also duties towards them; duties for the performance of which they are responsible, not only to God, but to man; the non-performance of which duties works a forfeiture of their rights, and creates in the people a right of resistance and revolution.

9. But the English Whigs were aristocrats and

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even monarchists; the friends of liberty and equality took higher ground. They availed themselves of the admission of Hobbes, that all men are naturally equal, and following in the footsteps of Locke, presently hit upon the idea of setting up the *natural rights* of men, as a counterpart to the divine right of kings, priests, and nobles. The terms, *nature* and *natural rights*, possessed a happy ambiguity very favorable to the spread of these new ideas. With those whom the instructions of their childhood, habit, and general consent, still kept adherents to the mystic hypothesis, nature was but another name for God, and natural rights were rights emanating from the Divine will; in fact, Divine rights. But while these terms corresponded so well to mystical ideas, they were also fully susceptible of a philosophic interpretation. Nature, in the philosophic sense, is the apparent constitution of things, such as men perceive and feel it; and natural rights are the rights which spring out of that constitution of things. According to the exposition of morality contained in this treatise, the Natural Rights of men are those benefits from others, and that abstinence on the part of others from the infliction of pains, which the average force of the moral sentiment gives us ground to expect. Of course, they are not fixed, but always varying with the varying average force of the sentiment of benevolence.

10. But the partisans of Natural Rights, ignorant of their true nature, that is, of the true foundation of moral distinctions, following the scholastic instead of the inductive method of reasoning, and anxious

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to encounter the arrogant pretensions of kings, priests, and nobles, by corresponding pretensions on the part of the people, fell into paradoxes which exposed their doctrine to danger and disgrace. They attempted to set aside the indefeasible rights of kings maintained by their opponents, by setting up against them the doctrine of the absolute indefeasibility of all natural rights. Thus they pronounced life, liberty, and the pursuit of happiness to be indefeasible and unalienable rights; a doctrine which has been justly characterized, when thus broadly laid down, as utterly anarchical; since, if these rights be really indefeasible, every restraint of any kind is against right; and government itself becomes a wrong. We have shown elsewhere how the assumption of the identity of benevolence and virtue leads to the same paradoxical results.*

* The leaders of the American and French Revolutions made great use of the doctrine of the Natural Rights of Man. They figure at length in the American Declaration of Independence, and in the American and French Constitutions. The authority of Rousseau, who was the most eloquent advocate of this doctrine, is well known to have been paramount during the early days of the French Republic. The mysticism with which Rousseau was so much imbued combined with other causes to produce in his followers a political fanaticism, which differed but in some trifling particulars from the religious fanaticism of two centuries previous. The idea of the public good in the one case, like the idea of the will of God in the other, almost extinguished any mercy for individuals considered hostile to those great objects. Robespierre, it is well known, was Rousseau's devoted disciple. He has been as much misrepresented and belied as ever Cromwell was, though far more honest. It has become the fashion to make him the scapegoat for all the crimes of the French Revolution. I am astonished to find such a writer as Carlyle pandering to so vulgar and unjust a prejudice. I am still more astonish-

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11. Laying aside, as untenable, the idea of indefeasible rights, whether natural or divine, either on the part of governors or the governed, the duties of good citizenship include all the duties of private morality; and in addition, a certain readiness to make sacrifices and to submit to pains and labors for the benefit of the community. It is this disposition which we denominate Patriotism or Public Spirit. The ordinary degree in which it exists differs greatly under different forms of government. In theocracies and most absolute monarchies, it is hardly found at all. Under such governments, the ruling power is all, the community is nothing; and patriotism is replaced by obedience and loyalty. In aristocracies, among members of the privileged class, it frequently reaches a high pitch. In democracies it becomes diffused through the whole body of the people. In mystical systems of morals the virtue of patriotism is hardly recognized; in forensic systems the rank it holds in any given community depends upon the extent, in that community, of political rights.

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ed to find him lavishing so much admiration upon Mirabeau and Danton, men more showy, but not more able, and far below Robespierre in disinterestedness. Robespierre asked nothing for himself but power, which power he intended to use for the public good. Mirabeau and Danton wanted power just as much, but they wanted it as a means of amassing money to be lavished in luxurious indulgence. The leading idea of Robespierre was, the rescue of France from kings and aristocrats; the leading idea of the other two, to provide for themselves.

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CHAPTER V.

OF THE UNEQUAL BURDEN OF DUTY IMPOSED ON WOMEN, AND HEREIN OF CHASTITY.

1. In attempting an explication of the variations and contradictions which exist in moral codes so far as pertains to the mutual and relative duties of men and women, and of the unequal burden of duty commonly imposed upon women, we must begin by recollecting that the opinion has almost universally prevailed, that woman is naturally inferior and subordinate to man, and, like other inferior creatures, rightfully to be used as an instrument for promoting his pleasure.

The obvious inferiority of women in personal strength has led to the conclusion of a general inferiority. This opinion of inferiority has naturally produced a certain degree of contempt; which has naturally operated to diminish the force of the sentiment of benevolence; and, therefore, to fix the standard of men's duty to women below that of their duty towards each other.

2. Among savages who are struggling perpetually against hunger, at the same time that they are engaged in exterminating wars, the sentiment of benevolence is at the lowest ebb; and the wife is not so much the companion as the slave of her husband, purchased, indeed, of her parents, compelled to constant hard labor, and exposed to suffer personal chastisement.

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Yet even here, beauty and the sexual sentiment so far reinforce the sentiment of benevolence, that, for the short time her charms last, the young wife of the savage is treated with a tenderness and indulgence which disappear as she grows older and less inviting. However petted at first, she soon experiences the double mortification of finding herself a mere domestic drudge, and her place in her husband's affections supplied by a younger and handsomer rival. For, in savage and barbarous communities, every man is thought entitled to as many wives as he can purchase and maintain; and, though comparative equality and universal poverty have commonly prevented polygamy from being carried, in such communities, to any great extent, it has in no such community been esteemed wrong.

3. The increase of wealth, which constitutes one of the items of increasing civilization, of course delivers the women of wealthy families from the mere drudgery of servitude. Yet they still remain slaves, and commonly purchased slaves, the great end of whose existence is still esteemed to be, the pleasure of their husband and owner, which they are now thought most able to promote, not so much by hard labor as by elegant accomplishments and refinements in the gratification of the sexual appetite, — things of which the savage has very little idea.

Lest they might be withdrawn from the fulfilment of this duty, it is considered expedient and just to seclude them from all other society; to shut them up in a harem as the Greeks did and the Orientals do; or like the Chinese, so to mutilate their feet, as

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to make them almost incapable of walking abroad. Nor do the women accustomed to this sort of treatment, and never having conceived of any other, as yet regard it as a hardship. They rather glory in it as a mark of consideration, whereby women of the upper class are distinguished from those below them.

4. Humanity, however, has, by this time, considerably increased; and the pain which women inevitably feel at finding their places filled, and their consequence and pleasures curtailed by younger and handsomer rivals, is so great and so obvious, that it begins to be deemed no more than just, to provide a remedy against this evil, — so far as it may be done, without trenching at all upon the pleasures of the husband. Thus, in such communities, it comes to be established as a custom, and, presently, as a rule, that not the last married, youngest, and most beautiful wife, as in ruder states of society, but the first married, the oldest wife, is esteemed the mistress of the household, and the superior, in some respects, by virtue of her prior marriage, of the other younger wives.

5. So soon as society begins to be divided into ranks and orders, a distinction also springs up between those wives whose fathers are of the same social rank with the husband, and who are no longer sold, but *given* in marriage, and those wives who are of an inferior rank, — perhaps the husband's born, or purchased slaves. Those of the first class monopolize the title of wives, and compel those of the second class to be content with the inferior name

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and station of concubines, — a distinction presently made to extend to the children.

6. Parental affection on the part of fathers who have daughters to bestow in marriage, seconding the natural desire of women to have no rival in their husband's house, and aided by increasing benevolence on the part of the men, gradually leads to stipulations that the husband shall take no other wife while the first lives. He is allowed, as an indemnity, as many concubines as he chooses; but the increasing complaints of the wife, and increasing regard for her feelings, presently dictate, that these concubines shall no longer be kept in the same house; and, indeed, that their being kept at all shall be as little as possible brought to her notice. What was at first a matter of stipulation, or of favor in particular cases, comes, presently, to be viewed as no more than ordinary justice towards the wife in all cases; so that, at last, open polygamy, or the living as a husband with two women in the same house, comes to be commonly regarded as an injurious, and, consequently, an immoral act. Doubtless, the men were somewhat hastened in arriving at this conclusion by the inconvenience to themselves, the disorder, clamor, envy, hatred, and jealousy, so apt to prevail in polygamous households.

Such would seem to have been the steps, by which the doctrine of monogamy, or of the marriage of one man to one woman, came, in certain communities, to be established as part of the current code of morals. This doctrine owed its establishment to an increased force, on the part of men towards

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women, of the sentiment of benevolence, resulting, in part, from a general increase of the force of that sentiment, but partially also from an increased admiration of women, and respect for them, which advanced much in the same proportion as mere personal strength lost its relative importance. The same causes naturally tended, at the same time, to release women from that strict seclusion in which they had been held, and to allow them a certain liberty of associating with the male friends of their husbands and fathers.

7. Such were the ideas and customs that prevailed among the Romans, and were communicated by them to the conquered tribes of Western Europe, and, subsequently, to the conquering tribes from the East and North who subdued the western portions of the Roman Empire; and which thus have descended to our times, modified only by certain mystic opinions to be presently considered.

Though in the progress above described women had gained much, they had by no means approached towards a social equality with men. By the Roman law, the unmarried daughter remained in strict subjection to her father; and the husband had the same authority over the wife that he had over his children, that is, the superintendence and control of all her actions; and, throughout Christendom, the letter of the existing law is still much the same. The greatest act of justice on the part of the Roman Law towards woman, consisted in the admission of the daughters to an equal share with the sons, in the inheritance of the father; and, subsequently, in al-

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lowing the wife to possess property of her own, with which her husband could not meddle, — great advantages, which some modern codes, especially the English, have not conceded.

According to the letter of our modern current codes of morals, the wife is still held bound to obey her husband in all things; and no matter how obvious her physical or intellectual superiority, the reputation of being governed by her, subjects the husband to ridicule, and the wife to reproach. Though she be allowed a certain liberty, yet there are many things held perfectly innocent in men, which she is not permitted to do; many places, which, under any circumstances, she is not allowed to frequent; and many more, to which she can go only under the escort of her husband, or some near male relative. In all these respects, unmarried women are subjected to still greater restraints.

8. But the most remarkable distinction in modern forensic moral codes between male and female morality, relates to the indulgence of the sexual sentiment; indeed, almost all the other existing distinctions may be traced to that. It is held that no possible circumstances can justify or excuse a woman, in the gratification of this sentiment, except with a husband. Should she not obtain a husband, she is held bound to be content with a life of perpetual virginity.* Indeed, unmarried women are re-

* On this point, the Roman law was more indulgent. If the father did not provide his daughter with a husband, before she reached the age of twenty-five, he was not allowed to make any subsequent slip on her part, a pretence for disinheriting her.

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quired not to know or feel, at least, never to give any signs of knowing or feeling, that there is such a thing as sexual desire; and they are taught to regard the discovery in themselves of any such feeling, not as a natural emotion which prudence requires them to keep under control, but as a detestable and disgraceful vice, a ground of inferiority and self-reproach, a criminality to be expiated by tears and self-abasement.

Adultery in a wife is esteemed the most disgraceful of crimes, exposing her, even in communities in which divorce is allowed for no other cause, to degradation from her station of wife, if not to imprisonment or even death.

The crime of sexual indulgence in an unmarried woman, is esteemed hardly less. If discovered, it subjects her to the utmost obloquy, delivers her up, without possibility of grace or repentance, to utter infamy, — an infamy which extends even to her innocent offspring, — and condemns her, for the most part, to live by prostitution, and to die soon and wretched.

So far is this idea carried, that, in current discourse, female virtue means nothing but chastity; an unmarried woman who has lost her virginity is familiarly said to be ruined, and, though it may have been taken from her by force, and against her consent, she is, nevertheless, irretrievably disgraced. An apparent, rather than a real, exception to these harsh decrees, exists in some countries of Europe, in favor of acknowledged concubines, who, though unmar-

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ried, still live faithfully with one man.* This, however, is properly to be considered as a species of marriage sanctioned by custom, though not acknowledged by the law. It differs from the legal marriage in being dissoluble at the pleasure of either party, and generally in being contracted with some woman of inferior rank whom a man could not take as his wife without the obloquy of having disgraced himself. If, as often happens, the man has also a legal wife, it is then to be considered as the last remains of that system of polygamy, the disuse and disappearance of which we have already traced.

9. While such extreme severity is exercised towards women, current forensic morals, and in this all forensic codes ancient and modern seem to have agreed, allow to men, if not entire liberty, a very great laxity. Even adultery and seduction — acts evidently so injurious, in the one case, to the husband, in the other, to an entire family thereby disgraced, and in both cases, to the woman whom these acts expose to such a combination of miseries — are still, for the most part, and except in cases of particular aggravation, looked upon, in a man, almost or quite, as permissible acts. Even in communities which lay claim to the greatest strictness upon this point, a suspected adulterer, a more than suspected seducer, is not, therefore, incapacitated for the high stewardship of an Orthodox university, or the lord

* See some very sensible remarks upon this subject, in Dr. John Moore's "View of Society and Manners in Italy." Also Bentham's "Theory of Legislation," Vol. II. Part IV. Ch. 5.

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chancellorship, or other the highest trusts, of the realm; and in humbler life, though somewhat talked of and censured, such an offender, if rich, and possessing a certain station in society, is viewed with a sort of admiration, by which the disapproval of his conduct is very much modified; and among the women, who suffer most by him, according to a very current and probably not wholly baseless, opinion, he becomes at once a hero and a favorite.

Such being the light in which adulterers and seducers are regarded, it is not remarkable that simple sexual intercourse with unmarried women even on the part of married men, and still more of unmarried, — except in a very few communities in which ascetic mysticism prevails to an unusual degree, — is so far from being esteemed criminal, that virginity on the part of an adult man, is regarded as a mark of pusillanimity, and a matter for ridicule.*

10. The question at once presents itself, upon what ground is this very strong distinction made between the conduct of women and of men? Why are acts, which in men are esteemed innocent, permissible, or, at worst, but slightly wrong, regarded in women as the height of iniquity?

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* For the correctness of the above statements, the reader, if he has any doubts, is referred to the Romances of Chivalry, Chaucer, Boccaccio, Shakspeare, Lope de Vega, and the comedies and tales of Modern Europe, down to the last new French or German novel. There are more jokes in Shakspeare upon cuckolds, than upon any other subject. The English of the present day are not so free in their talk, or, at least, in their writings; — but, except the professed religious, who, among the men, are comparatively few, their sentiments and conduct are much the same.

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The answer to this question is to be found, partly in the inferior and dependent position in which women stand; and partly, in the peculiar results, which, in their case, are liable to follow from sexual indulgence.

The woman, from her inferior position, and from the consequent admiration and love with which she is expected to look up to her husband, is held bound to a certain extent, indeed to a very great extent, to prefer his pleasures to her own. The idea of sole possession is so gratifying to the sentiment of self-comparison, that men naturally, everywhere, have held their wives bound to strict fidelity; and the wife's intercourse with another man, without the husband's consent, — which in most communities it has been esteemed disgraceful ever to grant, and which, elsewhere, has only been granted as a special mark of favor and friendship, — that is to say, adultery on the part of the wife, has everywhere, and at all times, been esteemed a high crime. Upon this point, some nations, such as the Arabs, the Hindoos, the Turks, and the Orientals generally, have run into what we regard as very extravagant ideas; so that, even to look at another man's wife, is a deadly insult. Hence, in those countries, to enter a man's harem, and especially to expose the women of it to the public gaze, is reckoned the greatest indignity which it is possible to inflict. Hence, too, that remarkable custom of the Hindoos, which requires the wife to immolate herself upon the funeral pile of her husband. In general, the wife does it voluntarily, — a striking instance how easily, at least in the fe-

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male mind, the sense of duty triumphs even over the fear of death; and a proof, too, how desirable it is, that so potent a sentiment should receive a true direction.

In savage and barbarous communities, women who owe no allegiance to a husband, are not held bound to any such strictness; but are allowed to indulge themselves at their pleasure. This custom is universal among the native tribes of America and tropical Africa, whence it has been transported to the West Indies, where women, who are expected to preserve, and who do preserve, a very strict fidelity after marriage, while unmarried allow themselves and are allowed a wide liberty.

But the same feeling which demands fidelity in a wife, accompanied by a little more reflection, presently requires, that the wife should come a virgin to her husband's bed; and when this idea obtains currency, unmarried women are thenceforth required to preserve their virginity for the honor and pleasure of the husband whom they may one day have.

With the progress of wealth and refinement, women of the upper class become more and more helpless; whence arises an additional reason, why the unmarried should not expose themselves to the risk of bearing children. The unmarried savage mother who brings home her new born babe to her father's lodge, in so doing, imposes no labor nor trouble upon anybody but herself. It is she who will nurse and educate the child. In civilized societies, especially in the upper ranks, — whence the lower ranks, by imitation, derive most of their cus-

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toms, — the situation of unmarried women is totally different. For the most part, they are incapable of providing for themselves. Even if they have the requisite talent and skill, they are excluded from following any lucrative occupation. In some countries, as in England, they are greatly restricted even in their chances of acquiring property by inheritance; of course, they seldom have means of their own. They are totally dependent, even for their own support, upon their fathers or other relatives; and it would be intolerable, if, for their own private gratification, in addition to the burden of supporting themselves, they should impose upon their friends the support and education of a family of children. The same reason applies also to the case of married women. The husband is bound to support and to educate the children of his wife; and he reasonably desires them to be, not only legally but naturally his own.

11. The position of men is altogether different. Even the married man, for the same reason of inferiority on the part of his wife for which he demands from her the sacrifice of her pleasures to his, holds himself by no means bound to reciprocate that sacrifice; or, for the sake of gratifying her feelings, to put restraint upon his own indulgences. The unmarried man has nobody's feelings to consult. As men, married or unmarried, who become the fathers of illegitimate children, are legally bound to support those children, here is no burden imposed upon others, except that duty be fraudulently evaded, or the father be too poor to fulfil it; in which case,

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only, an offence is committed of which the law takes note. As to the mother, the very infamy with which she is overwhelmed leaves little room, in the vulgar mind, for sympathy for her; and the disgrace to her parents and other friends is disposed of, by ascribing the daughter's ruin to the fault, on their part, of a bad education or insufficient watching.

12. Whatever may be thought of other cases, the evils which are constantly arising from adultery and seduction are so intense, that the indulgence with which forensic morals regards these acts on the part of men can only be explained, by supposing that the force of the sentiment impelling to the performance of these acts, is so powerful, as often to be more than a match for the ordinary force of the sentiment of benevolence. But sexual desire is by natural constitution not less powerful, it probably is more powerful in women than in men; and hence the necessity for those terrible cruelties and terrible disgraces, cruelties and disgraces intended to operate upon the fear of death and of bodily pain, and the still more potent sentiment of self-comparison, by which it is sought to restrain and counterbalance this powerful impulse; and hence, too, as has been already observed, the origin of most of those restrictions to which women are subjected. The Orientals employ bolts, bars, eunuchs, and madonnas; we, more ingenious, have converted the women universally into spies upon each other; an employment, affording as it does such easy opportunities to exalt themselves by degrading others, that they enter upon it with thoughtless zeal, finding self-exaltation and

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thence delight in the degradation and misery of their less fortunate sisters. The Orientals enclose the offender alive in a sack and cast her into the sea; we subject her to the more lingering and terrible punishment of a frightful life complicated out of those greatest of evils, infamy, disease, and want.

13. Did these severities accomplish their object, that would afford a plausible argument in their favor. But they fail, and always will. While men constitute a licensed army of seducers, licensed because they cannot be restrained, can it be expected that women will resist the combined force of male and female desire? The poets have admired and have celebrated the triumphs of sexual love over all possible obstacles put in its way; and legislators and moralists might learn a lesson from the poets. The only adequate security for the chastity of women is that also which can alone secure the chastity of men, — for the one is impossible without the other, — the indulgence of a happy and lawful love;* and the problem is, how may such unions, without the danger of greater evils than those they are intended to remedy, be made more attainable? This problem appertains, in part, to political economy, or what we call the *Theory of Wealth;* but so far as it depends upon the terms of the marriage contract, and the dissolution of existing unhappy unions, that

* "Hail wedded Love, mysterious law, true source
Of human offspring, sole propriety
In paradise of all things common else
By thee adulterous lust was driven from men," &c.
Paradise Lost, Book IV. l. 750 *et seq.*

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is, upon Divorce, it belongs to the department of Morals and Legislation.*

It is solely to the early marriages of choice which prevail in America and Ireland, that we must ascribe the boasted purity of American and Irish women. In England and Scotland, where the "prudential check" is in full operation, the Reports of the Poor Law Commissioners show how utterly powerless to secure the chastity of women are all the severities of forensic morals, even when backed by all the terrors of mysticism, and of law.†

14. But, although women have everywhere been held in a degree of subordination greater or less, there have been and are, societies in which they have made a near approach towards equality. Of this sort were the saloons of Paris before the Revo-

* Divorces are allowed, in most European codes, only for adultery, and for that only on the part of the wife; though Milton has shown conclusively enough, in his "Doctrine and Discipline of Divorce," that there are many other things not less fatal to the harmony and comfort of a marriage. See, on this subject, Bentham "On Legislation," Vol. I. Part III., ch. 5.

One great obstacle in the way of separations by mutual consent would be removed, by establishing, what justice clearly demands, that the custody of the children should appertain to the mother, while the father should be held bound to bear the chief burden of their support, at least until the mother obtained another husband. Such is the custom of the West Indies, where the legal European marriage is, for the most part, replaced by that customary marriage above referred to, a marriage not recognized by the laws and dissoluble at the pleasure of either party.

† It appears by these Reports, that marriages among the laborers in the rural districts of England, seldom take place till the pregnancy of the woman exposes the man to a poor law prosecution. As to sanctimonious Scotland (where there is no poor law, and consequently no check from that source), more bastards are born there, than anywhere else in the British Islands. The women in the upper and middle classes of Great Britain are chaste; that is true; it is also

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lution, and certain higher circles, then and now, in France, Italy, and Germany. In these societies, the political degradation of the men (now partially removed, at least in France) operates to the advantage of the women, by bringing the men down to their level. The drawing-room becomes the great theatre of action for both; and the women there, so far from inferiority, are in several points superior.*

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true, that their chastity is seldom solicited. They are strictly watched and are not easily approached. Their equals among the men find more accessible, perhaps more inviting, objects of desire among the women of the lower class. If enjoying the same opportunities, and exposed to the same temptations, would they make a stronger resistance?

* A state of society similar in many respects to that of the saloons of Paris, which is of very modern origin, seems to have existed in the times of the Troubadours in the South of France, before that beautiful country felt the scourge of Simon de Montfort's crusade, from the effects of which it never wholly recovered. I have been inclined to suspect that the gallantry towards women, which formed so remarkable a part of chivalrous manners, and has thence been transferred into the forensic morality of Europe, had its origin in Provençal drawing-rooms, became vocal in the poetry of the Troubadours, was thence borrowed by the authors of the metrical romances, and thus, and through the prose romances, became gradually introduced into the upper social life of Europe. It always existed in a higher degree in France than elsewhere. Nor does this opinion rest wholly upon theoretical grounds; for the historical investigations of the industrious and rational Hallam seem to point to the same conclusion. See his "Literature of Europe," chap. 2, § 90. It is, indeed, constantly repeated that the elevation of women in modern times is solely due to the influence of Christianity, — one of those numerous fallacies flattering to popular prejudice, which pass current without examination. St. Paul is most explicit and oriental, touching the inferiority and due subordination of women. Throughout the East, where Christianity originated and earliest prevailed, it never to this day has done any thing for the sex. They owe their present position, such as it is, in Europe, and European colonies, to the

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These societies, too, consist entirely or chiefly of a class of persons who follow no industrious occupation, but live upon an unearned revenue. The wife, by her dowry, contributes her share towards upholding the establishment; and by an arrangement borrowed from the Roman law enjoys a separate and independent income. Under these circumstances, the married women are encouraged and are able to demand, that, as upon other things, so upon the point of conjugal fidelity, they shall be admitted to an equality with their husbands. They allege, what it is impossible to deny, that the restraint of fidelity is as hard on them as on the men; and that so far as mere personal suffering is concerned, and independent of artificial obliquy, which, being artificial, may be as easily done away as created, the misery of a faithless husband is even greater than that of an unfaithful wife; and these premises being conceded, the demand follows, that either husbands should submit to the same restraints imposed upon their wives, or that wives should enjoy the same liberty as their husbands.

15. Had marriages, in those communities, been unions of choice and affection, it is not to be doubted that both parties would have preferred the alternative of mutual fidelity. But as marriage, in those ranks, was, in general, a mere matter of finance and family alliance, neither party found in it any adequate satisfaction of the sexual desire, which leisure,

diffusion of Roman manners and Roman law; drawing-room influences; the Romances; and more than all, the advancing intelligence and humanity of modern times.

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constant social intercourse, and all the arts of personal grace and adornment, kept always excited; and to the satisfaction of which free choice and unforced preference are so absolutely essential. Unwilling and unable, therefore, as the men were to surrender that prerogative of liberty which they had so long enjoyed, they were gradually induced, partly out of policy, partly out of justice, and partly for the sake of peace, to concede to their wives a nearly equal degree of freedom; and hence that system, in several parts of Europe, and especially in Italy, of allowing married women to choose their own lovers; a system which has excited mingled horror and indignation in the minds of many English moralists, who have yet regarded, if not with open indulgence, at least with *silent* disapprobation, a similar liberty on the part of the husband, — a liberty, which if not so generally exercised among the upper classes of Great Britain as elsewhere, is yet too common to be regarded as at all unpardonable.

This extra-marital commerce of love on the part of the married, was always condemned by the ascetic moralists, for reasons which will be explained in the next chapter; but in those countries in which it prevails, forensically considered, it has lost all its criminality, and has acquired, as far at least as opinion goes, a perfectly legitimate character. Fidelity has there become a duty not to the husband, but to the lover; and hence, in those societies, the existence of such connexions, however contrary to our ideas of right and wrong, cannot justly be considered as im-

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plying any deficiency of moral sentiment on the part of those men and women who enter into them.*

16. As the above reasons upon which the liberty of married women is founded, do not apply to the case of the unmarried; it is to be observed that unmarried women, in those same societies, are still subject to all the old restrictions; and, indeed, are more strictly guarded than elsewhere, lest they might be seduced by the example of the liberty allowed to the married.

17. As a counterpart to, and illustration of, the preceding observations, we may refer to the operation, in a very different state of society, of an approach towards equality on the part of the women. In the more northerly States of the American Union, within the last thirty years, great pains have been

* These notions of the rights of married women, originated with, and were at first limited to, the upper class. But the political revolutions in France having levelled all ranks, all ranks have claimed, upon this point, as upon others, equal privileges, whence has resulted a curious confusion of ideas upon several points of morals, and especially upon this point of the rights of married women, — a confusion of ideas very obvious in all the modern French dramatists and novelists. Though they often speak as though they considered the breach of marital fidelity on the part of a woman to be wrong, the general current of their ideas sets quite the other way; nor can any thing different be expected, so long as marriages in France are made, not by the parties themselves, but by their relations. We may observe, however, that the same inconsistences of opinion on the duties of the marriage relation so obvious in recent French literature, pervades, also, the literature of the last half of the eighteenth century. Those free notions above sketched never obtained exclusive currency, even in the saloons of Paris. Even there they still encountered the lingering fragments of older opinions; and in this case, as in others, expressions remained the same, long after opinions and practice had altered.

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taken with female education; and in point of intelligence and general information, the women, on the average, have been raised nearly, or quite, to a level with the men. Many of the promoters of this scheme of female education are puzzled and alarmed to find, that this elevation of women has produced its natural effect; and that, no longer satisfied with that total absorption in their obtained or expected husbands which constitutes the Anglo-Saxon idea of female duty, they are beginning to put forward several embarrassing claims to a greater social equality.

Among other matters the attention of some of them has been strongly attracted to the unequal yoke, as respects the matter of chastity, imposed upon men and women by current forensic morals; and they have formed certain societies, called "Societies for Moral Reform," for the purpose of vindicating the Rights of Women upon this point. The founders of these societies have all been educated in the mystic-ascetic code to be expounded in the next chapter, and besides, are themselves much under the influence of the very opinions of which they complain. Hence they would start back with horror and indignation, from the idea of claiming or accepting the liberty which men enjoy. But, rejecting that alternative, they insist upon the other. They demand that men should be subjected to the same restraints with themselves; that all male departures from chastity should be visited by obloquy; and that, in defect of such obloquy inflicted by public opinion, punishment for seduction should find a place in the laws.

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That forensic moralists and especially that legislators should raise some objections to these demands is not surprising; but the violent opposition, the reproaches and ridicule which these societies have encountered at the hands even of reverend professors of ascetic-mystic morals, is one among innumerable instances of the coolness with which men reject the most legitimate deductions from their own premises, whenever those conclusions run counter to their habits or their inclinations.

CHAPTER VI.

ASCETIC SYSTEMS OF MORALS.

1. A HOST of moralists forensic and mystic, from Lycurgus, Pythagoras, and Cato the Censor, through St. Austin, Calvin, Wesley, and Whitefield, down to the journalists and preachers of the present day, with an intervening line of the most heterogeneous description, including almost all the disciples of the self-sacrificing school, have united in the condemnation of Luxury, or what they have sometimes called Self-indulgence, as utterly hostile to all good morals.

By luxury, has been intended the pursuit of pleasures not commonly indulged in; and the condemners of luxury may be arranged into the three classes of Political, Philosophical, and Mystical Ascetics.

2. In the times of the ancient Greek republics, when war was the chief occupation of the free citi-

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zens, and when each community was at all times liable to be attacked on all sides, and, if defeated, to be plundered and ruined and to have all its citizens sold into slavery; in those times, when courage and hardihood were considered the most beneficial, and, therefore, the most estimable of qualities, every thing that tended to soften and refine manners, and to render the citizens less warlike, that is to say, every thing that tended to advance civilization, was condemned, under the name of luxury, as ruinous to the community, and, therefore, immoral and criminal.

In the latter days of the Roman Republic, when the vast conquests of that warlike community had converted the Senators and the Equestrian order into an oligarchy of potentates vying with kings and with each other in wealth and magnificence, and struggling with each other for the possession of power, while the great mass of the citizens had become mere mercenary soldiers; that prodigality of expense, that splendid profusion, which was the natural result of this state of things, was exclaimed against by poets, orators, and historians, as having been its cause.

3. This condemnation of luxury thus commenced by warlike barbarians, or by those who celebrated the praises, and lamented the passing away, of an age of warlike barbarism, — was taken up, and pushed still further by two very different schools of moralists.

The first of these schools was that of the cynical Stoics, of whom Diogenes and Epictetus may be taken as specimens. They perceived that the pur-

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suit of pleasures for ourselves often leads us to disregard the pleasures of others; and they hoped to remedy that evil by forbidding the pursuit of pleasures; a plausible but superficial and false idea, which has at all times served to give to ascetic moral codes a certain degree of popularity. This idea leads at once to rigor and severity towards others as well as towards ourselves; for, if pleasures be wrong in us, they are not less wrong in others.

Hence that contempt for the vulgar delights and ordinary pleasures of men, and presently that contempt for mankind, which the Stoic philosophy inculcated. Carried out, it relapsed into a system of mere selfishness. The Stoic philosopher, *teres et rotundus*, wholly wrapped up in himself, cut himself off from all sympathy with mankind, and even lost all disposition to exert himself in their behalf.

Indeed, a certain incapacity of sympathizing with the pleasures and desires of others, an insensibility to what are stigmatized as sensual pleasures either constitutional, or oftener brought on by the satiety of excessive indulgence, as in the case of the Jewish moralist, Solomon, and the Christian moralist, St. Austin, or else an incapacity of indulging in such pleasures through sickness, poverty, or social position, giving rise to a feeling of envy against those who are more fortunate; one or the other of these circumstances, or all of them, joined to a strong desire of superiority which discovers no other so easy means of gratification as in declamations against the luxury and depravity of the times, will be found, on a close scrutiny, to lie at the bottom of a great deal of ascetic morality.

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4. But they who are more especially known as ascetics, from whose penitential *exercises* the name is derived, are those who, under the stigma of sensual, carnal, and worldly delights, have condemned the pleasures of the table, of the sexual sentiment, of music, of poetry, of the contemplation of the beautiful, of the perception of the ludicrous, of the exercise of reason, of the pursuit of knowledge, of wealth, of power, of glory, — indeed, almost all the pleasures of which men are capable, — as the sinful desires of a depraved nature; who have even gone the length of recommending the voluntary infliction of pains and degradations, fastings, hair shirts, scourgings, the most exquisite bodily torments, constant self-denial and perpetual humiliation, even death itself. This school of ascetics, of which Christian, Mahomedan, Boodhist, Hindu, and Pagan branches are to be found, proceeds, theoretically, upon mystic views.

5. In the preceding part of this treatise, we have shown how that school of theologians commonly distinguished as *Theosophists*, arrived at the conclusion, that the reason why the love of God is not, as according to their theory it ought to be, the leading motive of human conduct, is, the selfishness and practical atheism of mankind, — men's thoughts being constantly drawn off from God by sensible objects and wordly pleasures.

This opinion is closely connected with, and serves to strengthen and support, another dogma of this school, the dogma, namely, that human nature consists of two parts, totally distinct and dissimilar, to

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wit, a material mortal body, and a spiritual, immortal, godlike soul. A somewhat arbitrary division of the faculties of human nature is made between these two alleged component parts of it; and, while intelligence or the power of perceiving is ascribed to the soul, sensibility or the power of feeling — at least so far as respects the greater number of pleasures and pains — is supposed to be a function of the body.*

Putting these two doctrines together, one great branch of the Theosophists held, that man's great object ought to be, and duty is, to free the soul as much as possible from the dominion of the body. Thus freed, the soul will be necessarily attracted towards God, the proper object of its admiring love; and we shall then perpetually pay to the Deity that tribute of constant adoration, the only possible duty of a finite towards an infinite being; external acts of worship being of importance only as serving to fix the thoughts on God; therefore, the height of virtue is, to rise above all ordinary perceptions, feelings, and pursuits; and to keep the soul steadfast in unceasing admiration of God's infinite perfections.

That complete insensibility to the material world and to all the ordinary pleasures and pains of life which this state implies, naturally led the Boodhist doctors to the idea of *nieban*, or annihilation, as the

* We have already adverted to the confusion of ideas produced by this attempt to separate perception and sensibility, two things so intimately connected, that, as far as human experience goes, they cannot exist separately. But this is a topic of which the further consideration appertains to the *Theory of Knowledge*.

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height of excellence and happiness. Others, to express the same idea, have used the phrase, "absorption into God."

But as the ordinary pleasures and pains of life, or what the ascetics denominate carnal pleasures and pains, tend constantly to draw us off from this state of holy contemplation; therefore, it is necessary to mortify the body, and all the carnal appetites along with it. Some partisans of this school, such as Origen, in pursuance of this idea, have proceeded to the length of mutilating themselves. Others have gone still further; and in more religions than one, this notion pushed to its ultimate extreme, has led to the doctrine and the practice of religious suicide.

6. It is these opinions, carried out to a greater or less extent, which have produced, not in Christendom alone, but in almost every part of the world, recluses, hermits, religious mendicants, self-tormenting saints, monks, nuns, and devotees; professions in which most commonly we may discover a strange mixture of self-deception and hypocrisy; but which often repay those who adopt them for all the privations and voluntary sufferings to which they subject themselves, not only by beatific visions of fancy which become more lively as sensible objects are shut out, but, also, by the more obvious advantages of popular admiration and a reputation of sanctity, whereby many a holy saint has enabled himself to taste the worldly delights of fame and power.

7. Not only do mystic dogmas and the sentiment of self-comparison serve to buttress up these ascetic notions; they are partially sustained by other con-

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siderations. He who asks no pleasures for himself, is thought likely to be most willing to bestow pleasures upon others, — a false, but plausible conclusion. Hence, that strong tendency to an alliance between the self-sacrificing theory of morals and ascetic practices and ideas. These systems agree in requiring the subjection or rather the extinguishment, of the greater part of the sentiments natural to man.

8. Of all the pleasures stigmatized under the name of carnal and sensual, none have come in for so full a share of ascetic-mystic condemnation as the pleasures of the sexual sentiment; which, under the odious name of lust, has been pursued with endless denunciations. The reason is obvious. Not only is the gratification of this sentiment in its natural combination with others, the source of great pleasures; it is also the foundation of conjugal and parental relations. It leads men to impose upon themselves in addition to their own support, the greater care of providing for the support of their consorts and their children. Men thus become connected with the world by numerous ties; and they are proportionably drawn off from that state of abstracted meditation, from that total absorption in the contemplation of the Deity, in which, according to the ascetic mystics, godliness or *piety* consists.*

* Piety, in the original Latin, is filial devotion, a sentiment into which, according to Roman ideas, there entered more of admiration, and even of fear, than of love; — for the Roman father had the power of life and death over his children. This word was used by the ascetic mystics, to designate that total submissiveness to the Divine will and that perpetual contemplation and adoration of the Divine attributes, in which, according to their theory, the only possible human goodness consists.

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Hence, the eulogies bestowed upon chastity, by which was meant not only entire abstinence from sexual indulgences but the total suppression of that sentiment. Hence, the high merit ascribed by the Christian fathers to virginity; hence, marriage itself was condemned, as sinful; absolutely prohibited to the clergy, and to those who made any high pretensions to piety; and if allowed to the common people, allowed simply as a means of propagating the species; any indulgence in the pleasures of the marriage bed, for the mere sake of those pleasures, being denounced as beastly, carnal, and corrupt.* Though marriage among the laity was determined to be lawful, the mystic ascetics still struggled hard against permitting second marriages; and it is chiefly owing to their doctrines and influence, that, throughout Christendom, marriage has been held so strictly indissoluble, however much both parties might desire a separation. Men and women who would marry, and who could not agree, were thought entitled to no pity, but justly punished for yielding to their carnal desires by the miseries of an unsuitable and unhappy union.

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* " ——————— nor turned I ween
Adam from his fair spouse, nor Eve the rights
Mysterious of connubial love refused,
Whatever hypocrites austerely talk
Of purity, and place, and innocence,
Defaming as impure what God declares
Pure," &c. *Paradise Lost*, Book IV. l. 741.

This passage alludes to those mystic commentators who had taught, that, so long as Adam and Eve remained in Paradise, the idea of sexual intercourse never entered their heads. See Bayle's Dict. Art. *Adam.*

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9. Enraptured by the pleasures of the sexual sentiment, and finding them naturally associated with, and only to be enjoyed in their highest perfection when associated with, a high and empassioned degree of benevolence and of sensibility to the beautiful; observing, too, that the strict regulations of indissoluble marriage are destructive of that freedom so essential to love, without which, sexual intercourse loses the greater part of its attractions; and that such restraints, sustained by law, make the parties the property of each other, and tend to transform them from mutual lovers, into obligated prostitutes,* the poets have undertaken, against the ascetics of whatever school, the defence of love, and of its free indulgence, at least so far as the men are concerned. It is they who have been the great champions of those forensic ideas, expounded in the preceding chapter, and, in general, the ardent opposers of the whole mystic-ascetic system. The modern dramatic poets especially have taken a very active part in this warfare; which sufficiently explains the horror with which ascetic moralists regard the modern Drama, and the hatred with which they pursue it.

10. It must be confessed, however, that, as respects the duty of chastity, the mystic-ascetic system, in point of equity, far surpasses the forensic codes. The view of chastity taken by the ascetic

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* "How oft when pressed to marriage have I said,
Curse on all laws but those which Love has made.
Love, free as air, at sight of human ties,
Spreads his light wings, and in a moment flies," &c., &c.
POPE'S *Eloisa and Abelard.*

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mystics, has not allowed them to make any distinction between women and men. What they call lust, under which name they denounce every emotion of sexual desire, is as criminal in the one as in the other. Hence, among several other reasons already indicated, women, in general, have been led to regard with favor the mystic-ascetic code. Even the doctrine of that code with respect to divorces has been esteemed a boon by them. Sensible of the injustice with which they have ever been treated, they have regarded the system of indissoluble marriage as at least a partial security against the caprices of the men, giving them, in fact, a sort of property in their husbands; and they have reasonably dreaded, lest freedom of separation, if allowed, would be allowed as it hitherto always has been, only upon terms, which would assign all its advantages to the men, and all its evils to themselves.

CHAPTER VII.

MUTUAL DUTIES OF RELATIVES, FRIENDS, INFERIORS, SUPERIORS, ENEMIES, AND STRANGERS.

1. We have had occasion already, in the first part of this treatise, to explain what no theory of morals heretofore propounded even attempts to explain, why, in all forensic codes of morals, so many duties are required towards children, parents, near relations,

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and intimate friends, beyond those required towards mere acquaintances or entire strangers. It does not seem necessary to add any thing here to what we have already said respecting the mutual duties of parents and children, and the rules according to which those duties are determined.* The practice of infanticide, allowed in so many communities, though a seeming, we have shown not to be a real, violation of those rules; since it has never been morally justified except as a means of escaping greater evils to the child, as well as to the parents; and the same may be said of a custom known to prevail in some savage tribes, which allows the children, under certain circumstances, to terminate the existence of their old and helpless parents.

The peculiar degree of power allowed to the father, and of veneration and service required from the child, as formerly among the Romans, and at present among the Chinese, ought rather to be looked upon as a political institution, and, as such, will be considered in the *Theory of Politics*.

2. The bond of relationship is observed to be of much less apparent strength and extent in civilized, than in barbarous communities. This appearance is owing not so much to any decrease in civilized communities of the force of the sentiment of benevolence towards relatives, as to its increase towards neighbours and fellow-men in general; whence, less distinction comes to be made on the mere ground of relationship.

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* See Part I. Ch. 2, § 21 and 38.

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3. The same observation applies also to all those limited forms of good will in which benevolence is restricted to a class, a caste, or a particular community or nation. It necessarily follows, that, as benevolence becomes more diffused, it is apt to be less concentrated. Bacon, in his Essays, observes, that "the best works, and of greatest merit for the public, have proceeded from the unmarried or childless men; which, both in affections and means, have married and endowed the public." Hence, too, we may understand why men whose philanthropy was unquestionable, have not always been models in the private relations of life. Rousseau sent his children to a foundling hospital and publicly justified the act; envious rumor has accused even the illustrious Howard of hard-heartedness towards his son; Bentham seems, sometimes, to have acted very strangely towards his friends.

4. The duties of Friendship have formed a favorite topic, especially with the ancient moralists. In modern times, as women have gradually risen towards equality, friendship and love have been more and more conjoined; and intimate friendships between men to which so many obstacles are opposed, and which are so liable to disruption, have been less cultivated.

The high standard of the duties of friendship, the strict obligation by which friends are thought to be bound to each other, depends upon the same considerations which regulate the duties of love. A man does not choose his parents, his children, his brothers, or his sisters; and family affection fre-

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quently encounters the obstacle of very disagreeable qualities and even very injurious conduct on the part of our relations. But our friends we do choose; and we choose them precisely for the reason that they are specially agreeable to us; that we find a pleasure in their society. This pleasure tends to increase as towards them the average force of our benevolence; and of course, to raise as towards them the standard of moral obligation.

The disposition to friendship enjoys a higher degree of moral approbation than the disposition to love. The sentiment of self-comparison is very apt to run counter to friendship; the powerful stimulus of sexual desire is absent; and hence the capacity for friendship is thought to require a greater degree of benevolence. Besides, it is a more expansive sentiment. A man may have several friends, and friends in several degrees; he is supposed able to love but one woman.

5. For the same reason, violations of the duties of friendship are regarded with sterner condemnation, than breaches of the duties of love. The sexual sentiment which enters so considerably into the latter passion, is in its nature so capricious, and through satiety or disappointment is apt so suddenly to change its object, that according to the poets, Jupiter laughs at the breach of lovers' vows; and though often esteemed by, the suffering party, the deepest and most irremediable of injuries, and as such allowed great weight when regarded in the light of provocation, violations of the duty of a lover taken by themselves, and unattended by ag-

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gravating circumstances, though liable to a certain degree of censure, can hardly be said to have any permanent influence upon the current estimate of a person's moral character. The contemplation of the mutual happiness of lovers, except in very benevolent hearts, always excites a certain degree of envy. It is dread of this envy, at least in part, which makes lovers so coy before third persons, and so impatient of their presence. It is this, quite as much as any thing really ridiculous in their words or conduct, which makes the endearments of lovers such favorite subjects of ridicule. This is the reason why, if a girl is suspected of having a lover, all her female acquaintance at once set to work to tease and torment her. This is the chief reason why women and men are so fond of ferreting out all sorts of love scandals. Vulcan, say the Greek mythologists, having discovered the amours of Venus and Mars, cunningly spread for them an invisible net of steel, caught in which he exposed them naked to the gaze and derision of the other Gods. Vulcan, as an injured husband, — though what business had he with Venus for a wife? — had reason for his conduct; but men and women, in general, with no other motive than pure envy would delight to see all happy lovers served much in the same way. Hence, whenever we witness the interruption of a commerce of love, the pleasure of triumphing over a person who had the audacity to be happier than we, makes us so insensible to the pain of the abandoned lover, that we are generally more disposed to laugh at him than to sympathize with him. Breaches of friendship are regarded in a much more serious light.

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6. We have shown in the First Part, how the sentiment of admiration tends to reënforce the sentiment of benevolence, and hence to establish towards persons who have any thing admirable about them, a higher standard of duty, than towards ordinary persons. This is the foundation of the duty of inferiors towards superiors.

7. The respect and reverence required from the young towards the old, is always greatest in those primitive communities, as among the savage tribes of Africa and America, in which the experience of age is the chief source of knowledge. It diminishes and even entirely disappears in those more civilized states of society, in which education and books supply, and more than supply, the acquisitions of age and observation.

8. The devotion of subjects towards kings, of the laity towards the clergy, of the commons towards the nobles, of the poor towards the rich, is always regulated, both in theory and practice, by the degree in which actual superiority on the part of kings, priests, the noble, and the rich, is generally felt, and acknowledged. For when the distance between ourselves and those above us is reduced or appears to us to be reduced, within a certain limit, self-comparison springs up, counteracts admiration, expels it, replaces it by envy, and changes what lately were objects of love, into objects of hate. Those who complain of the growing insolence of their inferiors, if they look carefully into the matter, will always find, that either they are falling, or those below them, rising; or that both these operations are

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simultaneously going on; so that the superiority which alone can support their claims to respect, no longer exists; or at least not to the extent which they suppose.

9. Chivalrous gallantry towards women depends upon the same cause. It springs from admiration; it is, as we have elsewhere shown, an acknowledgment of woman's superiority in the drawing-room, — an acknowledgment not incompatible with the idea of her inferiority everywhere else. By the rules of chivalry, this gallant devotion was due to the fair, the elegant, the accomplished, the noble, that is, to those women fit to be admired; it extended not to the ugly, the vulgar, and the old. Housemaids and peasants' wives were no objects of it. If modern courtesy has anywhere given to this sentiment a greater extension, it has proceeded upon the notion of honoring in each individual woman the *beau ideal* of woman; in the same way, that, in speaking of the "fair sex," we ascribe to all women that which in fact appertains but to a few.

10. Correlative to the duties of inferiors towards superior are the duties of superiors towards inferiors. Hence the duties of chieftains towards their clansmen, of patrons towards their clients, of the clergy to the laity, of kings towards their subjects, of masters towards their scholars, of the rich towards the poor. The duty of chieftains and leaders requires, in return for adhesion and obedience, not only protection and countenance, but, where the chieftainship is lucrative, the distribution among the followers of

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almost its entire revenue. According to old Irish, Scotch, and Saxon ideas, the landlord was rather lord as respected the distribution among his tenants of proceeds of the domain, as to which he was allowed a very arbitrary authority, than lord in any such sense, that he could engross the whole to his own private use. It is absurd for modern British landlords, who let their lands at a rack-rent, to complain of the decay among the people, of old ideas of feudal reverence and attachment. They cannot have love and money too. Indeed, it remains to be seen, how long, after having forfeited and forgone the love, they will be able to keep the money.

11. It is well worthy the consideration of statesmen, that in all systems of positive law, the unlimited right to the disposal of property has been carried much beyond the point hitherto attained upon that subject in any current moral code. The law says that a man may do what he pleases with his own; all codes of morals have vigorously insisted upon Munificence and Charity as imperative duties. It has been attempted to distinguish these duties from those of justice, under which head respect for the rights of property is included, by describing them as duties of *imperfect* obligation. In fact, however, they rest, like all other duties, upon precisely the same grounds with duties of justice, and the two classes, those said to be of perfect, and those of imperfect, obligation pass imperceptibly into each other.

12. Munificence, otherwise called Liberality, is a duty of the rich, who are expected to dispense in

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feasts and entertainments, or otherwise, the greater portion of their wealth. The neglect of this duty, subjects them to the stigma of parsimony, meanness, avarice. The performance of it implies but a very small degree of benevolence, and its neglect, therefore, a very great want of it, — since, in the exercise of munificence, the sentiment of benevolence is strongly reinforced by the sentiment of self-comparison. The complacency a man naturally feels when presiding at a feast, and distributing his favors among many, perhaps, far his superiors, will account for numerous acts of liberality and munificence on the part of men of very limited benevolence. Such acts, too, are very sure never to lack the due tribute of praise. All those who gain by them, or who hope to gain hereafter by similar acts, join in extolling them. A contribution of ten pounds by a queen or a minister is recorded in all the newspapers, while the widow's mite drops unheeded. The managers of our charitable societies have well understood this part of human nature; and by the ingenious scheme of lists of donations periodically published they have contrived to stimulate even the widow's benevolence, by the prospect of fame and praise.

13. Charity is a duty of far greater scope. It is incumbent, not upon the rich only, but, to a greater or less extent, upon all who have any thing to give. It consists in bestowing a part of what we have to relieve those who have less, and who are suffering from want. The sentiment of benevolence when thus excited, is called *Pity*. Pity, it has been observed, if on the one hand it be the sister of love, on

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the other, is closely allied to contempt. Objects of pity inflict upon us not only a pain of benevolence, but also a pain of disappointment. They fall below our expectations, and present us with a scene of weakness and suffering which we did not anticipate. From the very fact that these humiliated sufferers are men, especially if they are countrymen, neighbours, or relations, their misery and degradation cast a shadow upon us. It is for these reasons, that so many people have such a dread of visiting scenes of want and distress; and it is for these reasons that benevolence is so often extinguished by disgust and contempt. If, however, we overcome these feelings, and attempt the relief of the sufferers, just in proportion as we are successful, they are apt to become the objects of our affection. The love of superiority is gratified at the same time with the sentiment of benevolence. Here is something that we have done. Here is a good work achieved by ourselves. Those whom we have rescued from the depths of misery and degradation, and raised almost or quite to a level with ourselves, stand to us almost in the relation of children. Should they happen, however, to rise above us, unless they rise far above, jealousy and envy spring up, and we shall be likely to begin to love them less.

14. Pity, as we have said, is the sentiment with which we regard the sufferings of those inferior to us. In the case where those who suffer are our equals or our superiors, the sentiment of benevolence so excited, is denominated *Sympathy*. This latter is a motive of action much more powerful

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than pity. Thus it happens that, in all countries, the necessities of the poor are relieved to a much greater extent by the sympathy of those almost as poor as themselves, than by the charity of the rich. Reinforced by admiration, sympathy reaches its highest pitch. Hence, the feeling excited by the reverses of princes; hence, for instance, the lamentations over Bonaparte banished to St. Helena, often poured out by men not very accessible to the distresses of their neighbours, and especially of their poorer neighbours. But the operation of sympathy will be more fully considered in the next chapter.

15. It has been observed that women are everywhere much more prompt and zealous than man, in administering to the necessities of poverty and sickness. Women naturally have the desire of superiority as strongly as men; but they have much fewer opportunities of gratifying it, and must make the most of such as they have. Hence, in part at least, their greater fondness for children, and their greater readiness to undertake works of charity. To bestow favors, implies superiority.

16. Many systems of mysticism, as the Christian, the Mahometan, and the Boodhist, have greatly recommended themselves to the mass of the people, who have always been poor, by a zealous inculcation of the duty of alms-giving, — a duty, however, which, according to the best informed modern moralists, requires to be exercised with much discrimination; the grand object being, to enable the poor to provide for themselves.

17. All systems of morality agree tolerably well

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as to our duties towards our neighbours; but as respects our duty towards our enemies, those who have inflicted or whom we suppose to have inflicted, injuries upon us, and who are naturally objects of our hatred, there is a most marked distinction between all forensic, we may say, indeed, all practised codes, and those speculative codes which have made pure benevolence, or the doctrine of self-sacrifice, the sole foundation of morals. These codes proclaim the singular paradox, that it is our duty to love our enemies, — a paradox so repugnant to the nature of man, that, of the number who have preached this doctrine, it may well be doubted, whether one ever practised it. Those, indeed, whom we love, we never call our enemies, no matter what injuries they may have inflicted upon us. To call them so, is an abuse of words.

This doctrine, then, correctly expressed, amounts to this; that we should have no enemies; that we ought to entertain a sentiment of equal benevolence for everybody. This may be possible for those solitary recluses who come into contact with nobody; but would imply a most uncommon want of sensibility in any one engaged in the active duties of life, and brought into daily collision with the selfishness of others.

But we may forgive our enemies; — and a knowledge of the necessary laws of human action must strongly incline every benevolent man to do so. In proportion as those laws have become better understood, the virtue of forgiveness has been better appreciated; men have grown less vindictive, and have

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been more and more disposed to regard the conduct of each other with a certain degree of indulgence. It comes to be perceived that actions injurious to us, or actions which we disapprove, do not spring from that pure malice and depravity, to which hasty judgment warped and colored by present pain, so generally ascribes them, but from an intricate mixture of motives, among which benevolence itself often plays a conspicuous part; or from a view of facts and consequences, which, though different from ours, is equally plausible, perhaps equally just.

This great virtue of forgiveness, — for, as yet, it is not so commonly practised, as to have obtained the character of a duty, — in its more extended sense, and considered as applicable not merely to conduct personally injurious to us, but to human actions in general, is called *Candor*, or *Charity*. The greatest obstacle to its practice, next to that false view of the origin of human actions above pointed out, is the sentiment of self-comparison, producing, in the case of injuries personal to ourselves, an apprehension lest we may be supposed to have pretermitted revenge, more from weakness than good will; and in the more general case of injuries to others, a fear lest we subject ourselves to suspicion of want of sympathy for the sufferers.

18. The right of independent communities to make war upon each other, has been based, and well based, by writers upon international law, upon the same grounds upon which rests the right of individuals, in those communities in which no laws exist, to punish wrongs inflicted on themselves. The ex-

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ercise of this latter right leads to such multiplied evils, that the suppression of it by means of laws and established government, is thought to be more than a counterbalance to all the evils which laws and government often inflict. The prevention of wars is a thing not less to be desired; and if not otherwise attainable, worthy to be purchased, as the suppression of private revenge commonly is, at the expense of many lesser dangers and evils. With the increasing force of the sentiment of benevolence, and a clearer perception of the true means of human happiness, philanthropists and even statesmen have of late turned their thoughts to the grand idea of a universal perpetual peace. In the existing state of inequality as well among communities as individuals, this idea, for reasons which will appear in the *Theory of Politics*, cannot yet be realized. At some future day, it may be; and, notwithstanding all the ridicule cast upon "peace societies," and the extravagant deductions founded upon their principles by reasoners of the self-sacrificing school, the time perhaps will come, when their founder will be more celebrated and more illustrious than the ablest and most fortunate of the French marshals. War, however, affords such scope to the sentiments of self-comparison and of admiration, that it has, and long will have, many ardent admirers. The poets have shed around it a halo of glory, which, as yet, only begins to fade.

19. The ancient Greeks stigmatized all nations but themselves, as barbarians; the Chinese do the same now; and the most enlightened of modern

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communities, though they do not express it so strongly, are yet a good deal impressed with a similar idea. Yet here too there are marked evidences of increasing humanity; for it begins to triumph, not over the narrow prejudices of nationality alone, but also over the fierce bigotry of religious hate. The sentiments with which the British and Irish mutually regard each other, are sufficiently bitter; and, under an exterior respect, we may observe in the estimate of each other, mutually formed by the French and English, a good deal of suspicion, hatred, and contempt. Yet these feelings, in both cases, have greatly softened within the last fifty years, though half of them, or more, have been years of turbulence, rebellion, and war; and there is a considerable and increasing number of individuals, in all these communities, who are quite uninfluenced by any national prejudice.

20. Piracy, if carried on only against strangers, was esteemed by the ancient Greeks a permissible, and even a praiseworthy means of earning a livelihood; the modern Arabs hold the same opinion as to the robbery of caravans. Nobody need be much astonished at these opinions, who recollects how lately the African slave-trade — a system of plunder infinitely more atrocious — was sustained by the almost unanimous voice of the moralists and legislators of Christendom. But the extended and extending intercommunication of modern times, is fast making all men neighbours; and the word, stranger, in its more general sense, is growing obsolete.

21. Although *stranger* has so often and so gen-

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erally been little more than another term for *enemy*, yet, in all states of society, where a stranger presented himself under such circumstances as to excite neither envy nor cupidity, and to give no occasion for pains of fear, the sentiment of benevolence has ever prompted to treat him kindly. If that stranger came singly, unarmed, and apparently in want of assistance; or if, from his manners, dress, complexion, or language, he evidently did not belong to any of those tribes against which a traditional enmity was cherished; or even if he did belong to those tribes, if he was apparently in a state of helplessness and distress, the sentiment of benevolence freed from the counteraction of opposing sentiments, generally secured him kind treatment; and, once received and treated kindly, he lost the character of stranger, and became a friend. Hence, the duty of a host towards his guests, — and especially towards those guests whom he has once received into his house, and entertained at his table; a duty, the strict performance of which forms so striking a feature in the manners of the ancient Greeks, and the modern Arabs; and something similar to which, though less elaborated into a system, may be found in all communities, savage or civilized.

In barbarous countries, and the same is true of the retired rural districts of civilized countries, in proportion as the demands made upon hospitality are more infrequent, the extent of it, in particular cases, is the more striking. In great cities, it is confined to those who bring special introductions. If extended to all, it would not only prove an intolerable tax, but would be attended with many dangers.

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CHAPTER VIII.

DUTIES OF SYMPATHY AND OF SELF-RESPECT.

1. In treating of the moral classification of actions, we found occasion to arrange by themselves those very numerous actions, which, while they are beneficial to some, are, perhaps from that very fact, injurious to others. It is with respect to this class of actions that the greatest discordances of opinion are apt to arise. As regards the moral character ascribed to these actions, all current moral codes continually contradict, not only each other, but themselves. The principal cause of these contradictions is to be found in those modifications of the sentiment of benevolence called *sympathy*, — a term which includes all those emotions compounded out of benevolence and some other sentiment or sentiments, which tend to render certain individuals, or collections of individuals, the special objects of our love.*

2. Sympathy, that is, the warm attachment of a man to a limited number of individuals, his friends, his associates, his *protégés*, his party, his sect, his caste, his countrymen, is a quality infinitely more common, and far better understood and appreciated, than that diffusive benevolence, which, embracing all mankind in its purview, does not allow any high degree of

* For an enumeration of these sentiments, and the laws according to which they act, see Part. I. Ch. 2.

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malevolence to be entertained against anybody. Sympathy, on the other hand, is not only consistent with, on very many occasions it is chiefly displayed by, a vigorous exercise of the sentiment of malevolence. We show our love towards our friends, by the vigor with which we hate their enemies. Now the exercise of the sentiment of malevolence, like the exercise of all our other sentiments, besides its direct results, is capable of affording incidentally a pleasure belonging to that class denominated in this treatise pleasures of activity, —a pleasure, which, in some persons, especially those of robust constitution, often reaches a high pitch. It is this sort of persons, who were described by Dr. Johnson as "good haters," and he himself, with all his benevolence, was one.

This pleasure, however, cannot long be indulged in, without exciting a counteracting pain of benevolence; unless, indeed, we can contrive to represent to ourselves that the very exercise of the sentiment of malevolence, and the actions to which it prompts, are benevolent acts, imperiously demanded of us by sympathy for our friends, or for those whom, for whatever reason, we have adopted as objects of our love. Just in proportion, whether in individuals or in communities, as the comparative force of the sentiment of benevolence is less, men arrive the easier at this conclusion; and thus it happens, that vast numbers of good haters feeling in themselves a vigorous dislike of persons and actions which appear to them bad and wrong, and a great pleasure in that dislike, set themselves down, at once, as most benevolent

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and virtuous men ; for as this dislike is not founded upon any evils suffered personally by themselves, they justly conclude that it must have its origin in sympathy for others who have suffered ; and taking its commencement from so respectable and praiseworthy a source, they consider the entire compound emotion, the hatred as well as the sorrow, equally praiseworthy, and that to place any restraint upon it would be actually wrong.

3. This is that virtuous indignation, that cheapest and most common kind of virtue so abundant in the world, which adds so often to necessary inflictions of pain, to reproaches, and to punishments, such as even benevolence itself would prompt, a violence and ferocity, gratuitous and unnecessary pains, savoring far too much of pure malice. Even the most benevolent are exposed to this species of self-deception ; even they are apt to conceive, that they can adequately express their abhorrence of what they regard as evil practices, and their sympathy for those who suffer by them, only by heaping all sorts of reproaches and injuries upon the guilty actors. Hence the fierce spirit of party ; hence the horrible cruelties of religious bigotry and religious zeal, perpetrated by those, who, in giving free reins to anger and hate, fancy themselves solely actuated, all the time, by moral considerations of the highest kind.

4. Here is the source, — the first spring of which is the sentiment of benevolence in the shape of sympathy, though malevolence soon comes to form the main strength of the impulse, — here is the source whence have originated almost all those cus-

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toms, in which cruelty is carried to the highest pitch, and men seem turned into devils incarnate. Hence the practice among so many savage tribes of murdering their captured enemies by slow torments, even of drinking their blood, and devouring their flesh; hence the custom among the Persians and other barbarians, of cutting off the hands and tearing out the eyes of prisoners of war; hence those elaborate and ingenious tortures invented by more civilized nations, as the just punishment of political and religious delinquencies.

5. In the latter case, indeed, the sentiment of self-comparison adds its force to the impulse under which these cruelties are perpetrated. The man who entertains, especially if he attempts to promulgate, political or religious opinions which we consider wrong, we not only regard as a dangerous enemy to our country and to mankind, we also look upon him as one who casts a personal indignity upon us, who has the audacity to say that we are wrong; that upon those points which perhaps we have most studied, we are mistaken and deceived. This is a pain of inferiority, to which few men quietly submit. Hence the promulgators of new opinions, even upon questions of abstract science, — and much more touching those political and religious institutions and dogmas upon which all the arrangements of society rest, or are supposed to rest, and in the sustentation of which so many personal interests are involved, — have so commonly been the objects of the bitterest persecution, have been denounced as disturbers of the public peace, and enemies of the

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human race. Here, too, is to be found the reason of that observation, that men above forty rarely become converts to newly broached opinions. Young men, who are yet learners, are willing to follow any teacher who seems to them to lead towards the truth; old men who esteem themselves teachers, do not readily consent to renounce their old opinions, or to commence pupils a second time.

6. Indeed, it is only within the last century that the slightest approach has been made in modern times, to any thing like freedom of inquiry and discussion. Philosophers, within that period, have recognized this freedom as an essential means towards the discovery of the truth. But, though truth be professedly everywhere an object of admiration and desire, most men mean by it, the opinions already adopted by themselves. The great mass of men, under the influence of the sentiment of self-comparison, and of other motives which will be pointed out in the *Theory of Education*, adhere obstinately to errors of which they are themselves the victims; while those best able to discover and to promulgate the truth, the men of the greatest abilities and most learning, too often have not only a direct personal interest, but a still stronger interest of sympathy, in perpetuating error. In Christendom, till very lately, the priesthood and the nobility possessed all the science and intelligence of the day, and there have been few priests and few nobles who have not preferred the interests of their respective orders, to the interests of humanity.

7. Nor from human nature could we reasonably

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expect any thing else. For in all current moral codes there is a great class of duties reckoned among the most imperative, founded upon sympathy, upon the idea that fidelity to friends, to party, to sect, to caste, to country, requires of us, among other sacrifices, even that of our natural feelings of humanity towards all those, who, though they have done us personally no harm, are yet for some real or imaginary reason, objects of distrust and dislike to those who put in a special claim to our sympathy. It is these duties of sympathy, which, in current moral codes, demand of us, for the benefit or supposed benefit of our sect, caste, party, or clan, actions which, if performed for our own individual benefit, would be stigmatized as among the most criminal. Hence the doctrine that no faith is to be kept with infidels and rebels; and that a good cause is to be promoted by any sort of means; hence men practise even with a strong sentiment of self-approbation, upon those of a hostile sect, caste, or party, from whom individually they have never experienced the slightest wrong, cruelties, which, if inflicted upon their worst personal enemies, would make them regard themselves as monsters of malevolence; hence, even the dead have been dug from their graves, to be exposed to imagined indignities; hence, men of unquestionable benevolence look not only without sorrow, but with the keenest delight, upon the most terrible calamities suffered by those who are not objects of their sympathy, but which are thought conducive to the welfare of others who are so. How many such men have justified and re-

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joiced in all the atrocities of religious persecution! How many such men have vindicated negro slavery, unjust wars, oppressive governments, and a thousand other social wrongs, because they esteemed those wrongs beneficial to the caste, the nation, the party, the order, the religion, or the race for which their sympathies were specially engaged! *

8. We have shown elsewhere that the mystic personal God, both from the character ascribed to him, and from the special degree of favor with which devout believers always suppose him to regard them, is calculated to engross their entire affections, and to become the sole object of their sympathy. And according to that law of sympathy above explained, just in proportion to the ardor of their love for him, — except perhaps with a few of the theosophistic school, — has been the fierceness of their hatred towards his supposed enemies; and their disposition to justify, to enjoin, to extol, the most horrible severities exercised towards them, as sensible proofs of love and zeal for him. How could they imagine that a Deity himself supposed to inflict interminable torments upon sinners in another world, could be otherwise than pleased that those

* "One of the largest meetings perhaps ever held in Exeter Hall, was held on Tuesday evening, convened by the London Missionary Society, to consider the means of extending and promoting in China, the objects of the Society. Wm. T. Blair, Esq., of Bath, presided. Dr. Liefchild moved the first resolution, *expressive of thanksgiving to God for the war between China and Great Britain*, and for the greatly enlarged facilities, secured by the treaty of peace for the introduction of Christianity into that empire. The resolution was seconded by the Rev. Dr. Adler, and was carried unanimously." — *London Examiner*, January 21, 1843.

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same sinners should be made to commence their sufferings here!

Hence, the *Djehad*, or holy war of the Mahometans, to be perpetually carried on against the infidels for the love and glory of God, and represented as the most meritorious of acts; hence, the crusades of the Christians, another name for the same thing. Hence, the Holy Inquisition, and the *autos-da-fe*, those *acts of faith*, perpetrated by Protestants as well as Catholics, which consist in burning heretics and infidels at the stake. Hence, those ruthless persecutions, those wholesale banishments, those cruel penal laws, those massacres, assassinations, confiscations, *dragonnades*, that setting of the son against the father, of the daughter against the mother, of the wife against the husband; those miserable mutual hatreds, jealousies, and contentions, by which, in times of religious excitement, every city, every town, every village, every neighbourhood, every family is distracted; and in which the chief actors so often are conscientious men, who, having sacrificed their reason, sacrifice their humanity, also, to their notions of religious duty.

If, of late, the fierceness of religious bigotry has somewhat subsided, it is because the increasing humanity of the times has greatly modified the popular idea of the Deity, who, even in the minds of the vulgar, has grown less a person, and more an abstraction; so that mystic faith, even among professed believers, has become historic and traditionary, and less what it used to be, vision and feeling.

9. Closely connected with these duties, of sym-

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pathy are those which are called duties of self-respect. In all communities in which the distinction of ranks exists, that is, in almost all communities which have advanced beyond the savage state, it is esteemed the duty of men and women so to conduct themselves, as to sustain the dignity and privileges of the order or caste to which they belong. Thus, to admit persons of a proscribed caste or sect, a man of color in America, a Jew in many parts of Europe, to sit at table with us, — and much more, habitual association and intermarriage with such persons, — is esteemed in several codes of current morals, a grave offence,* indicating a disposition to sacrifice the feelings and the comfort of those whom we are specially bound to regard, to the gratification of an idle or criminal caprice. The subject of ranks and castes, their origin and the social consequences thence resulting, belongs to the *Theory of Politics;* but it was necessary shortly to advert to it here, on account of the great influence thence exercised over every current code of morals, and the numberless inconsistencies and contradictions in current moral opinions thence resulting.

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* Lorqu'au théâtre de la Guadeloupe, nous vîmes toute la salle battre des mains à *l'Antony* de M. Alexandre Dumas, nous ne pûmes réprimer un mouvement de pitié, en pensant que ceux-là même qui applaudissaient à l'œuvre, se croiraient déshonorés s'ils rencontraient l'auteur dans un salon; et que toutes ces femmes si émues à l'entendre peindre les passions qui les agitent, rougiraient de honte, seulement à la idée de figurer avec lui dans une fête. Victor Schoelcher, *Des Colonies Françaises*, ch. 14.

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CHAPTER IX.

DUTIES TO GOD, OR RELIGIOUS DUTIES.

1. We have explained, in the first part, how it happens that duties to God hold a place not only in mystic, but also in forensic codes of morals. We have pointed out how there arises in the human mind, even in its most uncultivated state, the idea of invisible, supernatural personal agents, as being the causes of all those natural phenomena so intimately connected with the existence and well-being of man. We have indicated the gradual progress by which the idea, first of a supreme, and afterwards of a single, Deity, is finally arrived at. This single Deity, however, still remains in the minds of the multitude, a personal God, made and modelled after the image of man. Especially is it believed that the will of God may be operated upon by substantially the same means which influence the human will; whence follows the conclusion, that as the phenomena of nature are but the voluntary acts of God, those means which can operate upon God's will may be able to control even nature itself. It is little to be wondered at, that a dogma so flattering to the sentiment of self-comparison, so useful to the wise and so comforting to the simple, a dogma which teaches that not only the eternal laws of nature, but the infinite God himself, may be compelled to bend and yield to human incantations, should have been so implicitly received, and so zealously maintained.

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It is upon this alleged personal nature of the Deity, that rests the whole superstructure, not only of the mystic theory of morals, but of the political and social importance of the priesthood; and, also, that part of forensic morality, which inculcates what are called religious duties.

2. As men everywhere necessarily frame after their own image the personal deity whom they adore, their ideas of the duties due to God have everywhere substantially depended upon their notions of the duties due to themselves and to each other. We have already seen how all the changes which have taken place in current moral theories have been gradually embodied into current theological dogmas; though from the conservative spirit of all priesthoods, and from the influence of ancient sacred books, theology always lags a good way behind, and experiences a certain difficulty and delay in coming up to the opinions of the times. Hence, in all inquisitive ages, the priesthoods of every sect are divided into two parties, — an old school which stickles for the past, a new school which strives to accommodate itself to the present.*

3. It seems to be at once a characteristic and a cause of stationary civilization, when forms and cer-

* This adaptation of popular religious traditions and current scriptures to the moral opinions of the times is what Kant recommended and defended under the name of the method of moral interpretation. Though he was the first to give it a name, and candidly to recognize in it the substitution of new moral meaning in place of the meaning actually intended to be conveyed by the authors of the tradition or the writing, the method itself had been practised from time immemorial, and grows, in fact, out of the necessities of human nature.

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emonies usurp the place of, and rise superior to, the very sentiments of which in their origin they were the expressions and the signs. In such states of society, of which history affords us several remarkable instances, ceremonious religions have prevailed; and besides, an infinity of reverences towards his earthly superiors, man has been burdened with a still heavier load of religious formalities. The priesthood, indeed, who put themselves forward as the appointed and necessary mediators between God and man have ever had an interest in multiplying, or at least in upholding these formalities, as making the approach towards God the more difficult, and their services, in consequence, the more necessary. The founders of new religions and new sects have generally satisfied their own reason, and at the same time recommended themselves to favor, by denouncing the greater part of prevailing forms as burdensome and unnecessary, absolving from their observance, and declaring God to be most accessible, if not only accessible, to the unassisted prayers of faithful solitary saints. But in all these new sects, a new priesthood presently arises, who soon become as great sticklers for forms and ceremonies as any of their predecessors.

4. In barbarous warlike nations, God is represented under the image of a bloody tyrant, jealous of his authority to the last degree and implacable in his enmities, to be appeased only by the most abject submission, even the sacrifice by his worshippers of their children or themselves. Through the conservative influences above pointed out, and notwithstanding great changes of manners, such notions, in communi-

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ties which have become stationary, may continue to survive for an indefinite period. Thus in India, even at the present day, God the destroyer has ten times as many votaries as either God the preserver, or God the creator.

As nations have made a greater progress in civilization, they have given the Deity a milder character. He has been conceived of as a chieftain indulgent to his clansmen, a king beneficent to his subjects, even as a father careful of his children. Yet everywhere the popular mind, in which the sentiment of benevolence has been yet but very imperfectly developed, has dwelt more upon the power than the goodness of God; and the very theologians who have insisted most upon God's infinite benevolence have, in general, insisted still more upon what they call his infinite justice. They cease, indeed, to represent him as demanding the sacrifice of human victims; they claim instead the sacrifice, less bloody but not less dreadful, of man's reason, man's pleasures, even moral sentiment itself; since holding that morality is nothing but obedience to the commands of God, they hold that there is no moral law which the command of God may not dispense with, and set aside. As humanity increases, that mystic-idealism begins to spread, which considers God less as a person, and more as a personification of the sentiment of benevolence; humanity deified. As this idea gains ground, the rigor of religious duties is greatly relaxed, and the ascetic notion of the sinfulness of pleasure falls into disgrace even with mystic moralists.

5. From the very dawn of science, a controversy,

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which yet remains pending, necessarily arose between the philosophers and the mystics. The philosophers by their study of nature, by which term they designate the entire phenomena of which men are cognizant, always have been, and always will be, led to perceive and to acknowledge that there is and must be, a Cause of nature, an inscrutible, incomprehensible, infinite Cause of the existence, order, and progression of the universe; a Cause behind all those causes which observation will ever be able to demonstrate. They perceived that it was the idea of such a Cause personified, and mixed up with many fanciful notions and absurd traditions, in which popular religious opinions originated. That Cause, therefore, they called, God; and while the mystics only asserted, on the faith of tradition and testimony, that God did exist, and had been seen in dreams and visions, and by the corporeal eye, the philosophers undertook to prove that God must exist. It is to them that the theologians are indebted for all their arguments both those *a priori* and those *a posteriori*, for the being of a God.

But the very same observation of nature which led the philosophers to conceive of God as an inscrutable, incomprehensible, infinite Cause, obliged them to reject those popular notions which represented this Cause under the image of a person, and the laws of nature as his volitions, volitions which men might influence and might change. They perceived that this theory did not correspond with the phenomena. They had discovered, that the laws of nature are fixed, immutable, and totally beyond the power of

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man; and they rejected, as idle tales, the thousand stories of magic, miracles, and prophecies, which the mystics cited to sustain their cause. Beaten in argument, the mystics called in the mob to their aid; they denounced the philosophers as atheists; banished them, or put them to death.

6. Finding it useless, in the then existing state of knowledge and humanity, to attempt to teach their doctrines openly, the greater part of the philosophers were content, for the sake of peace and their own security, to admit, to a certain extent, the personal character of the Deity; and it was they who invented the celebrated argument from final causes to prove that intelligence and benevolence are attributes of God. Hence arose the various schools of semi-mystics, who have labored so incessantly and to so little purpose, to reconcile faith with reason; and who have struggled by all sorts of expedients and plausibilities, to render the current theology of their day in some measure consistent with the progressive discoveries of science.

7. The thorough mystics, however, rejected from the beginning this union of religion with philosophy.* They perceived, that in the proposed alliance between faith and reason, faith must be always losing and reason always gaining; till at length the

* The thorough philosophers were much of the same mind. Thus Bacon, in the Second Book of the "Advancement of Learning," speaks of "the extreme prejudice which both religion and philosophy have received, and may receive, by being commixed together; as that which undoubtedly will make an heretical religion, and an imaginary and fabulous philosophy." Upon this point, however, as upon most others, Bacon was unable to conform to his own teaching.

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idea of a personal God upon which their whole system rests, must gradually disappear. They at once denounced, and down to the present moment have continued to denounce the semi-mystics as no better than the philosophers, as unbelieving, faithless men, and, as such, worthy of universal execration and the severest punishments.

8. The definition of Faith has, indeed, been the great battle ground of the several sects of mystics and semi-mystics. Faith, according to the lowest of the semi-mystical schools, is, belief founded upon reason. It therefore can hardly be considered to indicate any peculiarity of moral character or ever to be wanting, except where the intellect is defective.

A more numerous class of semi-mystics have defined faith to be, belief founded upon testimony of things above reason, but not contrary to it; and the merit of faith has been represented to consist in the compliment paid to the Deity in listening attentively and readily to his messengers. But the compliment in this case seems rather to be paid to the messengers themselves.

The thorough mystics have maintained, that faith is a belief, or rather a vision of God as the only agent always and everywhere present, supernaturally infused into the mind by special grace, whereby the heart of man is changed, and he is enabled to act righteously; all morality not springing from this source being mere selfishness and deceit, and no better than filthy rags. This faith has nothing to do with reason. It is not only above it; it tramples reason under foot. *Credo quia impossibile.* Though

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the prevalence of semi-mysticism in the last two centuries hardly allows this doctrine to be taught, in the more celebrated schools, in this rude form, it still retains, in many countries, a strong hold on the popular mind.

Mystic faith, as ordinarily inculcated, consists in putting on the spirit of a little child; continuing to receive the religious opinions in which one has been educated with implicit reverence and submission; repulsing with indignation all question or doubt; and not only admitting the speculative truth of these opinions, but making them the basis of our whole course of action. This is Catholicism, this is Puseyism, and this also at the present day is Lutheranism, Calvinism, Quakerism, and Methodism; for though the founders of new sects have ever extolled their own internal light, that is to say, their own fancies and their own judgments, above all established opinions, that is a liberty which they have not allowed to their disciples; or rather, which their disciples have not allowed to themselves. Such a liberty, indeed, would be utterly inconsistent with that unity of faith on which the existence of every sect depends.

9. At first thought it might seem difficult to conjecture how pure credulity and mere childishness could ever be extolled, especially in civilized and even enlightened communities, into a crowning virtue and a binding duty. Yet the explanation is easy and plain. Social institutions and current morality, though arising in fact from the very nature of man, have hitherto as far as teaching has been concerned, been almost universally based upon mere authority.

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Not having arrived at that pitch of science to be able to give the reason why institutions and manners are, or should be, as they are, men have rested them either upon the authority of wise ancestors, or the instructions of inspired prophets, or jointly upon both. They are so, and they ought to be so, because the wisdom of ancestors so arranged, or God so commanded. Now any person, who undertakes to call this wisdom of ancestors, and these divine commands into question, is looked upon — and, if he have no better substitute to propose, not altogether without reason — as a reckless and unquiet person, who for the sake of gratifying his own prying disposition or love of superiority, is willing to risk the destruction of that sentiment of respect for established institutions and opinions, which — not knowing any other more solid basis on which to rest them — men suppose to be the only foundation, not of political institutions only, but of morals also. Hence systems of morals purely forensic have inculcated conformity to current religious observances, and profound respect for current religious opinions, as imperative duties.

The mystics themselves, moulding God after their own image, and supposing him to think and feel as they do, of course believe that any doubt or hesitation as to any opinions which they entertain about him, or any ceremonies which they practise, and much more their total rejection, must be regarded by the Deity as no better than rank rebellion; and so long as God was believed to visit the sins of individuals not upon themselves only, but upon the whole community, — a notion not yet wholly ex-

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tinct, — that man was necessarily regarded as a bad man, who, in the pride of his reason, did not hesitate to expose the whole community to the anger and fury of an outraged God.

10. The great spread of late and the numerous and continual confirmations of the philosophical doctrine, that the phenomena of nature are governed by fixed and undeviating laws; the constantly increasing proofs of the efficacy of reason and knowledge, as instruments of power and means of promoting human happiness; and more than all, the division of Christendom by virtue of an increasing exercise of reason, into numerous sects and sub-sects, which in their controversies with each other have been obliged, even against their own professed principles, to call in reason to their aid, — these causes have greatly shaken that profound reverence for authority which so many moral codes have inculcated as absolutely essential to the character of a good man. Heretics are no longer burnt at the stake; and though it be yet hardly safe for any man to express opinions upon religious subjects in which he is not sure of the support of some considerable sect, yet the degree of merely moral disapprobation with which such a man is regarded is rapidly diminishing; and in some communities is on the point of disappearing altogether.

11. Mystical systems of morals, and even those parts of forensic systems which are founded upon mystical considerations, give special occasion for Hypocrisy, which is reckoned upon all hands among the most detestable of the vices.

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Hypocrisy consists in a false pretension to virtue. It is employed as a means of drawing selfish advantages from an undeserved character for goodness. It involves the criminality of fraud. It tends to raise a suspicion even against virtue itself; and it includes a false assumption of superiority to which men do not patiently submit.

Most systems of mystical morality inculcate a perpetual struggle against human nature; a struggle in in which the most enthusiastic must constantly fail. Mysticism, moreover, has a necessary tendency to defeat itself. Wonder is the foundation of it; and novelty, or uncommonness, is essential to wonder. Let any thing become for a long time the sole or principal matter of contemplation, it grows familiar and common-place; and the sentiment of wonder is no longer excited by it. Thus, the more thoroughly a man becomes a mystic, the more certain he is to cease presently to be one; or if he continues to be a mystic in theory, he ceases to be so in practice. Mysticism as a motive of action, loses its influence over him. But mysticism is, and long and most extensively has been, a great source of consideration, influence, character, wealth, and power. Of course, Hypocrisy steps in to supply the place of enthusiasm. What was once sincere and hearty, now becomes merely formal. There is a vast deal of profession and pretension, with very little of reality; and as mysticism assumes the character of a mere dead letter, a creed full of absurdities, and a set of childish and tedious forms repeated by rote, but without intelligence or feeling, — the doubt creeps on, whether morality

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itself, — morality being supposed wholly dependent upon mystic considerations, — be any thing more than a fable or a dream.

12. It seems to be this disagreeable feeling of doubt and uncertainty, this general perception of the insufficiency of the mystic hypothesis, and the want of some more solid basis upon which to rest the theory of morals, which, under the name of *want of Faith*, has been pointed out by Mr. Carlyle, and some other late writers, as the great need, the prevailing pain and misery of the age.*

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* Mr. Carlyle is a rhetorician. He vamps up and passes off old and common thoughts under the disguise of new phrases, and under a similar disguise, he vends some new thoughts too, which would hardly pass current, at least in England, if plainly spoken out. The phrase, *want of faith*, like many other of his phrases, has a very happy ambiguity. He has not thought it judicious to come to an open quarrel with the mystics, who still exercise a despotic and intolerant power over public opinion, and who in Great Britain control the courts of criminal law, and exercise a strict censorship over the press. *Faith* is a very convenient term. The mystics may, and will, understand it as meaning *mystic faith*, which is, indeed, in a rapid, though at the present moment, a silent progress of decay; and which not all the united efforts of bigotry and fanaticism will be able to revive. It is evident, however, that Mr. Carlyle regards this mystic faith as being, in his own phraseology, a sham, a humbug, a lie. This possible interpretation, however, serves as a honeyed cate for stopping the more than triple mouth of that watchful, but not very sagacious Cerberus, called, in England, the religious public. The want of faith to which Mr. Carlyle actually refers is a want of faith in the reality of duty and of virtue, a sort of eddy or counter current created by mystical faith in the modern European mind, which, in these times, has become more powerful than the main stream.

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CHAPTER X.

MORALS A PROGRESSIVE SCIENCE.

1. In estimating the moral character of actions there are three different sets of consequences to be taken into consideration; sets of consequences which are often in opposition to each other.

Those which may be called Consequences of the first order, are palpable consequences which result at once to certain particular assignable individuals.

Those which may be called Consequences of the second order, are remoter consequences liable to result at some future time to individuals assignable or not.

Those which may be called Consequences of the third order, are consequences not limited to particular individuals, but which spread and affect a whole community, or perhaps, the whole human race.*

2. In proportion as knowledge increases, and the rational faculties are more called into exercise, consequences of the second and third orders come to be more and more attended to, and exercise a constantly greater influence over moral judgments. It thus appears that the science of morals, like all other sciences, is progressive in its nature, advancing continually as experience extends. As a community grows more and more intelligent, the science of morals

* Bentham was the first to point out these useful and important distinctions. See *Theory of Legislation*, Vol. I. Principles of Legislation, ch. 10.

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makes a constant progress, and diverges more and more from the rude and narrow maxims and notions of early times. This change relates primarily to theoretical morals. We shall presently proceed to inquire, upon what advancement in the practice of morality depends.

3. The moral opinions in which all men are and always have been agreed, relate to acts of which the immediate consequences in pleasure or pain to others, are very obvious; and as to the remote consequences of which, no question has yet been raised.

It is only necessary, however, to raise such a question, and to advance some probable reasons for supposing that the consequences of the second and third orders which result from any action, are contrary to those of the first order, to throw doubt upon the best settled moral precepts. For example, alms-giving, down to a very recent period, had been long and very extensively regarded as a meritorious act, however indiscriminately and thoughtlessly those alms might be bestowed. Of late, however, forceable reasons have been adduced to prove that indiscriminate alms-giving is attended by great evils of the second and third orders; whence has resulted a decided change of opinion, as to the moral character of indiscriminate charity.*

* An American Professor of Moral Philosophy — President Wayland — recently published a Treatise, upon the "Limitations of Moral Responsibility," the real object of which is, to show, that men are not under any moral obligation to regard consequences of the second and third order. The argument proceeds wholly upon mystical grounds; and affords a curious illustration of the sort of aid afforded by mysticism to morality.

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4. What are called the decisions of common sense upon questions of morals, are like the decisions of common sense upon other matters. They are founded upon the first and most obvious appearances of things. They are often right, and often wrong. They require the same scientific revision as the decisions of common sense upon all other topics. Such a revision, as in other cases, will serve to confirm a part of these decisions; but it will show that another part of them, and no inconsiderable part, originate in that constitution of human nature, which, in so many cases, renders error the necessary predecessor of truth.

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PART THIRD.

CONNEXION BETWEEN HAPPINESS AND VIRTUE, AND TRUE MEANS OF PROMOTING BOTH.

CHAPTER I.

CONNEXION BETWEEN HAPPINESS AND VIRTUE.

1. As respects the influence of virtue upon happiness, two questions may be asked;

First. Does the increase of virtue in general, tend to increase the happiness of the human race?

Second. Does the increase of virtue in any given individual tend to increase the happiness of that individual?

Or these two questions may be put in another form, thus;

First. Does the increase of virtue in a community tend to increase the happiness of that community?

Second. Are individuals happy in proportion as they are virtuous?

2. In order to answer these two questions, it is to be considered, that the happiness or misery of individuals, and of course the happiness or misery of communities and of the human race, — which are only collections of individuals, — is dependent upon

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four different sets of circumstances; 1st. The general constitution of nature, including the general constitution of human nature; 2d. The peculiar constitution of each individual, that is to say, his peculiar degree of sensibility to different pleasures and pains; 3d. The acts of the individual himself; and, 4th. The acts of others.

3. This analysis and enumeration of the causes of human happiness and misery, enable us easily to give an answer to the first of the questions above put, the question whether the increase of virtue tends to increase the sum total of human happiness.

One of the four elements, which together produce the happiness or misery of men, is, the acts of others. Now, just in proportion as virtue exercises an influence over the conduct of men, just in that same proportion does the happiness of others become an object to be aimed at; and just in that proportion will men be likely to contribute to the happiness of each other. On the other hand, so far as virtue ceases to exercise an influence over the conduct of men, in that same degree is the disposition to consult the happiness of others diminished; and just in the same proportion are men likely to become causes of suffering to each other.

4. Indeed, the tendency of the increase of virtue to increase the sum total of human happiness, is so very obvious to the most cursory observation, that legislators and philosophers, in all ages, have exerted their utmost ingenuity to lure men into the paths of virtue; and to this end, and in order to enlist the selfish sentiments into the cause of humanity, they

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have, almost with one voice, peremptorily answered the second of the above questions also in the affirmative; and have proclaimed, far and wide, that the increase of virtue, in each individual, tends directly to increase his individual happiness; in other words, that individuals are happy in proportion to their virtue.

5. This proposition, however, notwithstanding the numbers who have concurred in it, including many who hardly concur in any thing else, is as palpably false, as the proposition already disposed of, respecting the tendency of virtue to increase the happiness of communities, is obviously true; and the general perception of its falsity, — although few are able, through the cloud of authority in its favor, clearly to detect that falsity, and plainly to point it out, — together with the singular unanimity of priests, philosophers, and rulers, in preaching it to others, while they neglect to act upon it themselves, has led to a suspicion, very generally diffused, that moralists, and especially moralists by profession, are, after all, but a set of artful persons who seek to entrap men into a course of conduct, of which all the benefits result to others, — and to the moralists themselves, as a part of those others, — and of which all the burden falls upon the actors. Thus, while all men praise virtue, and are very anxious to induce others to practise it, there is widely diffused, even among professed moralists themselves, a secret doubt, whether morality, after all, be not a cunning contrivance to make the many contribute to the service of the few.

6. That morality is founded upon the nature of

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man, and that, to a certain extent, virtuous conduct is, and always must be, a source of pleasure, and often of the most exquisite and most lasting pleasure, to those who act virtuously, has been sufficiently demonstrated in the first and second parts of this Treatise. But that virtuous conduct will always secure happiness, and happiness in proportion to the degree of virtue, is not true. Of the four elements of human happiness and misery above pointed out, our own actions form but one. The most virtuous conduct in the world cannot secure us against the miseries that originate in the three other elements. No degree of virtue can cure the toothache, or guard against it; no degree of virtue can cure that heart-ache which springs from the ingratitude or treachery of others. Indeed, the more virtuous a man is, the more sensitive he becomes to that sort of suffering.*

Whosoever performs a virtuous act, always feels a pleasure from it; if not a positive pleasure, at least the negative pleasure of relief from a pain of benevolence. But the very performance of that virtuous act, may expose him who performs it, to infinite pains of other kinds. To perform an act of high virtue, is often an act of the highest imprudence; and though the consciousness of virtue be a great

* "It is not the value of what they lose by the perfidy and ingratitude of those they live with, which the generous and humane are most apt to regret. Whatever they have lost, they can generally be very happy without it. What most disturbs them is, the idea of perfidy and ingratitude exercised towards themselves; and the discordant and disagreeable passions which this excites, constitute, in their own opinion, the chief part of the injury which they suffer." — *Smith's Moral Sentiments*, Part I. Sect. II.

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consolation, that very sentiment of self-comparison which makes it so, frequently exposes the virtuous man, especially if his conduct be remarkably and singularly virtuous, to suffer the acutest pains from the indignities heaped upon him by an ignorant, bigoted, ferocious multitude, who do not understand, and who cannot appreciate him.

It may happen and it has happened, and it will happen again, that the virtuous man having sacrificed wealth, reputation, friends, health, all the comforts and pleasures of life, the pleasures of virtue alone excepted, to a strong desire to confer benefits upon his fellow-men, finds, at last, in a lonely and melancholy death, perhaps by his own hand, a refuge from calamities no longer endurable; while he in whom selfishness so often disguised under the name of prudence, has triumphed over every more generous emotion, creeps up by crooked paths, aided by a base prostitution of talent, to wealth, power, influence, and fame; lives to a good old age, admired and applauded as success always is; dies comforted by priests, with the hope of a blessed immortality, — for such men, as they grow old, are apt to grow devout, — and passes away lamented and bepraised, as a great and good man. Is not this the story of ninety-nine in a hundred of those who are recorded in the world's history as having risen to eminence, authority, and renown? Was virtue the ladder by which they rose, and rise? What is called *poetical justice*, must be sought for in poetry, not in life.

No doubt the pleasure of virtue has a permanency which belongs to few other pleasures. Many other

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pleasures pass away with the moment; but the recollection of having performed a virtuous act, especially if it were an act of extraordinary virtue, and often though it were only an act of duty, whenever it recurs, produces, or may produce, an emotion of present pleasure, a feeling of present superiority, which is always agreeable. The recollection of criminal actions, or of failures in duty, often produces, on the other hand, a present pain of inferiority, even though years of success and prosperity have intervened. This is true; but it is also true, that in point of fact, the pleasures of virtue are often completely outweighed by a complication of pains of other kinds; and that the pains of vice and even of crimes, are often much more than counterbalanced by a combination of pleasures of other kinds, — pleasures, perhaps, which those very vices and crimes have been the means of procuring.

That it is impossible for a man over whom moral sentiment exerts a powerful influence to be happy in what he considers a wrong course of conduct is doubtless true. But what of that? It by no means follows, that in acting virtuously, he must of course be happy. So far from it, such a high degree of moral sensibility often exposes him to a Scylla of moral suffering on the one hand, and a Charybdis of all other kinds of suffering on the other; and too often there is no passage between; into one or the other he must fall, or alternately into both.

7. Hence the distinction so universally made, between the *Right* and the *Expedient*. The Right is that which will afford us the greatest amount of

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moral pleasure; the Expedient is that which will afford us the greatest sum total of pleasures of all kinds, moral pleasure included. Now there are very few men in whom the sentiment of benevolence is so strong, that the Expedient does not constantly appear to them to be in opposition to the Right; and for whom, in fact, the Expedient is not in opposition to the Right.

8. Never, indeed, was there a doctrine more false, more unjust, or more dangerous to morality, than the doctrine that success is the test of merit; and what is but a modification of the same idea, the doctrine that happiness is the necessary concomitant of virtue, and misery the inevitable attendant upon vice. These are notions better fitted for the sycophant and the parasite, than for the philosopher or the moralist. One man plants and waters, but it happens too often that another reaps. Even so far as mere reputation goes, and laying all other pleasures out of account, neither talent nor virtue can secure even that; while it is often snatched up and enjoyed, by knaves and by fools. Some men are born great, others have greatness thrust upon them; while those who achieve it, achieve it often by the most discreditable means. An enlightened posterity, in a few instances, is able to do that justice which bigoted, and undiscerning contemporaries deny; but even that late and unavailing reparation occurs but seldom, and forms the exception, not the rule. Posterity in general, does but reëcho the judgment of contemporaries.

9. That virtue in an ordinary, that is to say, in an

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average degree, is favorable to the happiness of individuals, is very certain; at the same time it is not less certain that virtue in an extraordinary degree is unfavorable to the happiness of individuals. A man virtuous in an extraordinary degree, finds little sympathy and no companionship; he stands a great chance to pass with his neighbours for a fanatic or a fool; his perpetual scruples always stand in the way of his advancement, and even of his employment; not to mention those pains to which the contemplation of vice and misery expose him, or that desire to remedy this vice and misery, which he finds no means to gratify, and which constantly torment him.

10. Hence it ought to be the aim of the enlightened moralist not so much to produce individual instances of extraordinary virtue, individual instances of self-sacrifice for the benefit of mankind, as to raise the general standard of morals, and thereby to produce a general increase of virtue, and at the same time of happiness; and that too without any sacrifice of individuals, and those the most meritorious.

It becomes, then, a most interesting inquiry, how is this great object to be accomplished? How is a general increase of virtue to be produced? In other words, how shall we cause the Right and the Expedient to coalesce?

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CHAPTER II.

MEANS OF RAISING THE STANDARD OF MORALS.

1. We have shown that the sentiment of benevolence lies at the bottom of all moral distinctions and of all virtuous conduct. Delicacy of moral perception, and Performance of virtuous actions, depend, primarily, upon the force of that sentiment. Hence it follows, that in order to raise the standard of morality, and to produce a general increase of virtuous actions, it is necessary to increase the average force of the sentiment of benevolence; for a little observation will be enough to convince us, that this sentiment contributes quite as much to give efficacy to the general maxims of morals, what is called the Moral Law, as it does to the performance of particular acts obviously beneficial.

2. The infant, like the man grown, is influenced in its conduct, by those pleasures and pains only which attend upon the operation of its perceptive and conceptive faculties. At first, these are only a very few of those pleasures and pains known as selfish pains and pleasures. But gradually, the sphere of its observation and sensibility is enlarged; and presently it comes to take notice of the pleasures and pains of those about it, particularly and principally, in the first instance, of the pains and pleasures of its nurse, whom it soon begins to admire, to fear, and to love, and whose pains and pleas-

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ures very soon exercise a perceptible influence upon its conduct.

The child finds that certain acts on its part, though they may be pleasurable to itself, give pain to its nurse, who, from being nurse, soon comes to be tutor; which actions, as soon as it begins to learn the use of language, it finds its nurse and tutor to designate by the epithets *naughty*, *bad*, *wrong*; while certain other actions which give the nurse and tutor pleasure, though painful perhaps to the child, are designated by the epithets, *good*, *right*, *proper*. The child may be totally ignorant, and generally is, why or how these acts give pain or pleasure to its nurse and tutor; nor does it make any difference, whether the above mentioned epithets are applied to those acts, from selfish or from moral considerations, or for reasons altogether fanciful and false. All that the child concerns itself about is, the apparent pleasure or pain which those actions give to its nurse and tutor; and just in proportion to the degree of its benevolence, — and very great differences in the degree of this sentiment may be observed at a very early age, — it will be disposed to do those acts which it finds agreeable to its nurse, and to abstain from those acts which it finds disagreeable.

3. Three other motives combine to produce the same line of conduct; to wit; the fear of punishment, the hope of reward, and that love of praise, which is one of the modifications of the sentiment of self-comparison. This latter motive must be distinguished from the love of approbation, which is only a modification of the sentiment of benevolence;

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commendation being a mark of pleasure on the part of him who commends, and being therefore a proof that we have given pleasure. It must be confessed, however, that the love of praise and the love of approbation become so intimately commingled and united, that it is generally impossible to tell where the one begins and the other ends. Of these four motives, to wit, the sentiment of benevolence, the fear of punishment, the hope of reward, and the love of praise, on which depends the conformity of a child's conduct to the moral precepts delivered to it by its nurse and tutor, the sentiment of benevolence is by far the most influential; and it will always be found that the most obedient, and what are called the *best* children, that is to say, the children most observant of those rules of morality which they receive from their tutors and parents, are the most benevolent children; the children who feel most pain at inflicting pain on others, and most pleasure in giving others pleasure. While *bad* children are those in whom there is a deficiency of this sentiment either constitutional, or produced by ill treatment, or bad management.

4. As children grow older, and as the conceptive and reasoning faculties begin to develope themselves, individuals who possess the same degree of benevolence will act very differently; a difference which arises not only from the different conclusions to which they come with respect to the consequences of actions, by reason of a difference in the force of their concepive and rational faculties, but also from the different relative force of the various other senti-

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ments, or capabilities of pleasure and pain, upon which human action depends.

As the child advances to manhood; as the circle of his knowledge and acquaintance extends; and as the exclusive admiration and trust with which he regarded his nurse, his parents, or his tutor, diminishes, the approbation and disapprobation of those about him, the current moral maxims of the society in which he moves, gradually supersede and take the place of the instructions of the nursery.

If he be a person of strong intellect, he begins to a certain extent to think for himself; and to modify the moral system in which he has been educated, by the results of his own observation and experience. But in this respect, most men remain always children. They look upon such and such actions as right or wrong, virtuous or vicious, meritorious or criminal, merely because they have been taught to call them so; and it seems to be the object of a great class of moralists, including almost all the doctors of the mystic schools, to keep mankind or at least the mass of mankind, so far as morals are concerned, for ever in the position of children, entirely dependent for moral maxims upon their instructions. Hence the practice of confession in the Romish church, and that doctrine so much insisted upon by all the Christian sects, that men, in the presence of God, that is to say, in the presence of those who take it upon themselves to speak in God's name, ought to become humble, docile, and *teachable* as little children.

5. Whether a man forms his own moral system for himself, or whether he receives it by tradition from his nurse, his parents, his tutor, or his priest, in

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either case his adherence to the maxims of that system, whatever they might be, will equally depend, so long as he entertains no doubt as to their binding force, upon the ordinary influence which moral sentiment exercises over him; and of that moral sentiment, the first and fundamental ingredient is, the sentiment of benevolence. Hence the great differences to be observed among men, in their conformity to their own professed moral systems; and hence the general division of men into the two classes of *good* and *bad*, *conscientious* and *unprincipled*.

So much for the observance of moral maxims in general; the disposition to observe which is usually denominated *conscientiousness*.

6. As to conduct in particular cases, it is obvious that in proportion to the force of the sentiment of benevolence, will be the acuteness of moral perception in such cases, and to a great extent, also, the tendency to act in conformity to that perception. Thus it constantly happens that men of great benevolence are able to detect at once, in specific cases, the falsity of some prevailing moral maxim; and, though they, of all men, have the greatest respect for moral maxims in general, it often happens that the impulse of humanity, in particular cases, overcomes that respect, and makes them act right, in defiance of the false morality in which they have been educated.

7. It is, therefore, evident that whether we wish to produce a greater and more general conformity to existing codes of morals; or to bring about a reformation of those codes, and to make them more conformable to truth and humanity; both objects may

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best and most effectually be accomplished, and can, in fact, only be accomplished, by increasing the average force of the sentiment of benevolence. This means, therefore, is justly entitled to be esteemed at once conservative and reformative; conservative of all that is good in existing systems, reformative of all that is bad.

8. Our means of increasing the force of the sentiment of benevolence depend upon two laws of human spontaneity, of which the first relates to the power of habit over the faculties and inclinations of mankind. It is perfectly well established that, within a certain limit, the exercise of any faculty or sentiment tends to give that faculty or sentiment a greater power or predominancy. This is particularly the case during the periods of infancy, childhood, and youth, and it is upon this circumstance that the power of education, in moulding mankind, principally depends.* It may be laid down as a very general rule, that men remain all their lives essentially what they are at the moment they attain the limit of adult age; though there are certain influences coming daily more and more into operation, which tend to limit and diminish the generality of this rule, and to make men throughout their whole lives more subject to change than formerly. The discussions constantly carried on through the medium of the periodical press, are one of the most powerful of these influences. It is these influences growing stronger and stronger which have gradually produced during the last four centuries such immense changes of

* The nature and influences of habit will be fully investigated in the *Theory of Education*.

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opinion in certain parts of the globe, changes which are still going on with accelerated rapidity.

Undoubtedly there exists a great difference in the original sensibility of different individuals to the pains and pleasures of benevolence, as well as to all other pains and pleasures; a difference which no process of education or discipline can remove or overcome. Nevertheless the degree of force which that sentiment actually and ordinarily exercises, will depend, to a very great degree, on the extent to which it is called into operation during the flexible periods of childhood and youth.

9. The second means of increasing the force of the sentiment of benevolence, and which, indeed, is essential to the employment of the first means, depends upon a fact, pointed out in the first part of this Treatise, the fact, namely, that the presence of other pains ordinarily tends just in proportion to their intensity to neutralize or to counteract the force of the sentiment of benevolence. While men are tormented with hunger, thirst, fatigue, bodily diseases, the pains of sexual desire, of inferiority, of malevolence, of envy, of fear, or by any other great pains, it is absurd to expect them to grow virtuous, or to attempt to make them so. All these pains, when carried to a high degree, have power enough, not only to neutralize the sentiment of benevolence, but to impel to actions directly opposed to it. It is not PLEASURE, as the great majority of moralists, from superficial observations, have hastily concluded, it is PAIN, which is the great enemy of virtue; and to render mankind more virtuous it is essentially necessary, in the first place, to relieve their pains, to

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render them more happy. The power of pleasure to produce virtue, is at least equal to that of virtue to produce pleasure.

10. These considerations will enable us to understand how it is, that civilization is considered favorable both to happiness and to virtue; and it will also enable us to explain how Rousseau, a writer of great benevolence and sagacity, fell into the paradox in which he found so many followers, of exalting the savage above the civilized state.

The progress of civilization doubtless tends to relieve the whole community from certain pains, especially those terrible pains of famine, to which savage communities are particularly exposed, and to create a large class of persons, who, as they enjoy a superior degree of knowledge and wealth, which are the means of many pleasures, become capable, in consequence, of a superior degree of happiness, and of a superior degree of virtue.

But, though it be true that existing civilization, to a certain extent and among a certain class, is favorable to happiness, and therefore to virtue, — as is proved by the large increase of what is called the *middle class*, throughout Europe, and the attendant rise of the standard of morals during several centuries last past; yet it must be confessed that a very large portion of most communities have shared these benefits only to a very small extent; and that they purchase that small share, only by the most assiduous and fatiguing labor; while at the same time, they find themselves exposed to new pains of inferiority, among the acutest of all pains, and new pains of desire which, with the discovery of new

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means of enjoyment, and the more general diffusion of knowledge, increase day by day, and prove hardly less fatal to happiness and to virtue, than the worst evils of the savage state.

It is easy, therefore, to understand how a man like Rousseau, at once observant and imaginative, keenly alive to pains of inferiority, and whom his own varied experience had made familiar with all the evils of existing social arrangements in every department of society, should have been led to cry out against that civilization, the evils of which he felt so keenly, and knew so well; and even to prefer to it the rudeness of savage life; especially when we consider that Rousseau had no accurate knowledge of what savage life is; and that the old fable of a primitive golden age of simplicity and innocence served to give it a poetic coloring.*

11. The same circumstances which led Rousseau to the adoption of this opinion, give it, so soon as it was promulgated, a remarkable currency.

Shortly after Rousseau's death, the influence of those pains felt not by him only, but by a vast multitude whose eloquent spokesman he was, joined to the rapid decay of old feudal and mystic prejudices, impelled men to act in a new direction, and gave birth to a Revolution in which all the maxims of traditional morals were, for a time, forgotten and superseded; and, though old notions, after suffering great curtailments, and after the overthrow of many of the

* There are some additional circumstances serving to give plausibility to this idea of the superior happiness of the savage state, which will be stated in the *Theory of Wealth*.

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most obnoxious of those institutions of which Rousseau and his followers complained, have again recovered the ascendency, it is, however, with difficulty that they retain it.

12. As yet we have seen only the beginning of the end. Notwithstanding all the beneficial changes that have taken place, a vast deal remains to be done. A revolution half finished, a revolution in progress, is often worse, for the time, than the very grievances in which it originated. The existing social condition of Europe and her colonies, if things were to stop where they are, is, perhaps, even less favorable to happiness and to virtue, than that against which Rousseau and the philosophers of the eighteenth century so earnestly protested, and which led to that great social crisis known as the French Revolution.

As things now are, the higher, and even the middle classes, suffer almost as much as the lower. Recollections of the past and dread of the future inspire them with constant feelings of doubt and anxiety. Conceptive pains upon the part of the few, pains of all sorts upon the part of the many; and as a necessary consequence, Hatred upon both sides! In the midst of so much suffering, Humanity is hard pressed; and Virtue can with difficulty hold her own.

Here, however, we have arrived at topics which belong to other branches of these Rudiments, — the *Theory of Politics* and the *Theory of Wealth*.

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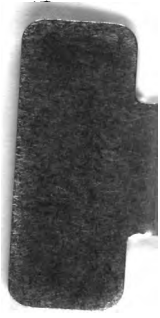

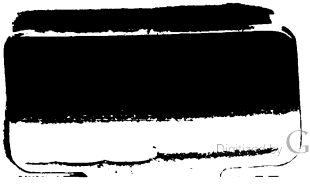

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